MONTANA STATE SENATE
2007 LEGISLATURE

TAXATION

ROLL CALL VOTE

10:45 am

DATE 3-31-07 BILL NO. _____ NUMBER _____

MOTION: Ex Acy #2

NAME	AYE	NO	
SEN. JERRY BLACK (R)	✓		
SEN. JEFF ESSMANN (R)	✓		
SEN. KELLY GEBHARDT(R)	✓		P
SEN. KIM GILLAN (D)	✓		
SEN. DAN HARRINGTON (D)	✓		
SEN. CHRISTINE KAUFMANN (D)	✓		
SEN. SAM KITZENBERG (D)	✓		
SEN. JIM PETERSON (R)	✓		
SEN. TRUDI SCHMIDT (D)		✓	P
SEN. ROBERT STORY (R)	✓		
SEN. JIM ELLIOTT (D) CHAIRMAN	✓		
Lee	✓		
Lois	✓		

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Taxation** recommend that **Senate Bill 567** (first reading copy -- white) **do pass as amended.**

Signed: _____
Senator Jim Elliott, Chair

And, that such amendments read:

1. Title, line 4 through line 13.
Strike: "CREATING" on line 4 through "PURPOSES;" on line 13

2. Title, line 14 through line 16.
Strike: "ENERGY" on line 14 through "GOVERNMENT" on line 15
Insert: "OIL, GAS, AND COAL NATURAL RESOURCE ACCOUNT"
Strike: "SECTIONS" on line 15 through the first "AND" on line 16
Insert: "SECTION"
Following: "MCA;" on line 16
Insert: "PROVIDING A CONTINGENT VOIDNESS PROVISION;"

3. Page 1, line 20 through page 16, line 4.
Strike: everything after the enacting clause
Insert: **"Section 1.** Section 15-36-331, MCA, is amended to read:

"15-36-331. Distribution of taxes. (1) (a) For each calendar quarter, the department shall determine the amount of tax, late payment interest, and penalties collected under this part.

(b) For the purposes of distribution of oil and natural gas production taxes to county and school district taxing units under 15-36-332 and to the state, the department shall determine the amount of oil and natural gas production taxes paid on production in the taxing unit.

(2) (a) The amount of oil and natural gas production taxes collected for the privilege and license tax pursuant to 82-11-131 must be deposited, in accordance with the provisions of 15-1-601, in the state special revenue fund for the purpose of paying expenses of the board, as provided in 82-11-135.

Committee Vote:
Yes 8, No 2
Fiscal Note Required ___

(b) The amount of the tax for the oil, gas, and coal natural resource account established in 90-6-1001 must be deposited in the account.

(3) (a) ~~For~~ Subject to subsection (1)(b), for each tax year, the amount of oil and natural gas production taxes determined under subsection (1)(b) is allocated to each county according to the following schedule:

	~~2005 tax years~~	2006 and succeeding
Big Horn	~~45.04%~~	45.05%
Blaine	~~58.11%~~	58.39%
Carbon	~~48.93%~~	48.87%
Chouteau	~~57.65%~~	58.14%
Custer	~~80.9%~~ 69.53%	
Daniels	~~49.98%~~	50.01%
Dawson	~~50.64%~~	47.79%
Fallon	~~41.15%~~	41.78%
Fergus	~~83.52%~~	69.18%
Garfield	~~48.81%~~	49.96%
Glacier	~~64.74%~~	58.83%
Golden Valley	~~57.41%~~	58.37%
Hill	~~65.33%~~	64.51%
Liberty	~~59.73%~~	57.94%
McCone	~~52.86%~~	49.92%
Musselshell	~~51.44%~~	48.64%
Petroleum	~~54.62%~~	48.04%
Phillips	~~53.78%~~	54.02%
Pondera	~~70.89%~~	54.36%
Powder River	~~62.17%~~	60.9%
Prairie	~~39.73%~~	40.36%
Richland	~~46.72%~~	47.47%
Roosevelt	~~46.06%~~	45.71%
Rosebud	~~38.69%~~	39.33%
Sheridan	~~47.54%~~	47.99%
Stillwater	~~54.35%~~	53.51%
Sweet Grass	~~60.24%~~	61.24%
Teton	~~48.4%~~ 46.1%	
Toole	~~57.14%~~	57.61%
Valley	~~54.22%~~	51.43%
Wibaux	~~48.68%~~	49.16%
Yellowstone	~~48.06%~~	46.74%
All other counties	~~50.15%~~	50.15%

(b) (i) From each county's allocation under subsection (3)(a), 1.25% must be deposited in the oil, gas, and coal natural resource account established in 90-6-1001 to be used for impact grants awarded pursuant to 90-6-206 and [section 14 of House Bill No. 798].

(ii) If the amount estimated for deposit in the oil, gas, and coal natural resource account under subsection (3)(b)(i) is

(b) The amount of the tax for the oil, gas, and coal natural resource account established in 90-6-1001 must be deposited in the account.

(3) (a) ~~For~~ Subject to subsection (1)(b), for each tax year, the amount of oil and natural gas production taxes determined under subsection (1)(b) is allocated to each county according to the following schedule:

	~~2005 tax years~~	2006 and succeeding
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Daniels	~~49.98%~~	50.01%
Dawson	~~50.64%~~	47.79%
Fallon	~~41.15%~~	41.78%
Fergus	~~83.52%~~	69.18%
Garfield	~~48.81%~~	45.96%
Glacier	~~64.74%~~	58.03%
Golden Valley	~~57.41%~~	60.37%
Hill	~~65.33%~~	64.51%
Liberty	~~59.73%~~	57.04%
McCone	~~52.86%~~	49.92%
Musselshell	~~51.44%~~	48.64%
Petroleum	~~54.62%~~	48.04%
Phillips	~~53.78%~~	54.02%
Pondera	~~70.89%~~	54.26%
Powder River	~~62.17%~~	60.9%
Prairie	~~39.73%~~	40.38%
Richland	~~46.72%~~	47.47%
Roosevelt	~~46.06%~~	45.71%
Rosebud	~~38.69%~~	39.33%
Sheridan	~~47.54%~~	47.99%
Stillwater	~~54.35%~~	53.51%
Sweet Grass	~~60.24%~~	61.24%
Teton	~~48.4%~~	46.1%
Toole	~~57.14%~~	57.61%
Valley	~~54.22%~~	51.43%
Wibaux	~~48.68%~~	49.16%
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All other counties	~~50.15%~~	50.15%

(b) (i) From each county's allocation under subsection (3)(a), 1.25% must be deposited in the oil, gas, and coal natural resource account established in 90-6-1001 to be used for impact grants awarded pursuant to 90-6-206 and [section 14 of House Bill No. 798].

(ii) If the amount estimated for deposit in the oil, gas, and coal natural resource account under subsection (3)(b)(i) is

COMMITTEE FILE COPY

TABLED BILL

The **SENATE TAXATION COMMITTEE** TABLED **SB 562**, by motion, on **Saturday, March 31, 2007**.

Lois O'Connor
(For the Committee)

KJ
(Secretary of the Senate)

_____ / 4-2
(Time) (Date)

March 31, 2007 Lois A. O'Connor, Secretary Phone: 444-4772

MONTANA STATE SENATE
2007 LEGISLATURE

TAXATION

ROLL CALL VOTE

DATE 3-31-07 BILL NO. SB-562 NUMBER 1

MOTION: amendment #SB056201.ajh

failed 3-6 R.C. Vote

NAME	AYE	NO
SEN. JERRY BLACK (R)		✓
SEN. JEFF ESSMANN (R)		✓
SEN. KELLY GEBHARDT(R)		✓ P
SEN. KIM GILLAN (D)	✓	
SEN. DAN HARRINGTON (D)	Excused	
SEN. CHRISTINE KAUFMANN (D)	Excused	
SEN. SAM KITZENBERG (D)	✓	
SEN. JIM PETERSON (R)		✓
SEN. TRUDI SCHMIDT (D)	✓	P
SEN. ROBERT STORY (R)		✓
SEN. JIM ELLIOTT (D) CHAIRMAN		✓
	3	6

MONTANA STATE SENATE
2007 LEGISLATURE

TAXATION

ROLL CALL VOTE

DATE 3-31-07 BILL NO. SB-562 NUMBER #2

MOTION: table

7-2 · RC Vote

NAME	AYE	NO
SEN. JERRY BLACK (R)		✓
SEN. JEFF ESSMANN (R)	✓	
SEN. KELLY GEBHARDT(R)	✓	P
SEN. KIM GILLAN (D)	✓	
SEN. DAN HARRINGTON (D)		
SEN. CHRISTINE KAUFMANN (D)		
SEN. SAM KITZENBERG (D)		✓
SEN. JIM PETERSON (R)	✓	
SEN. TRUDI SCHMIDT (D)	✓	P
SEN. ROBERT STORY (R)	✓	
SEN. JIM ELLIOTT (D) CHAIRMAN	✓	
	7	2

MONTANA STATE SENATE
2007 LEGISLATURE

TAXATION

ROLL CALL VOTE

DATE 3-31-07 BILL NO. SB-567 NUMBER _____

MOTION: Do Pass Do Pass As Amended

Passed 8-2

NAME	AYE	NO
SEN. JERRY 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)	Excused	
SEN. JIM PETERSON (R)		✓
SEN. TRUDI SCHMIDT (D)	✓	P
SEN. ROBERT STORY (R)	✓	
SEN. JIM ELLIOTT (D) CHAIRMAN		✓
	8	2

SENATE PROXY FORM

According to Senate Rule 30-70 (13) (f) , a committee member may vote by proxy using a standard form.

PROXY VOTE

I, the undersigned, hereby authorize Senator Stone

to vote my proxy on any issue before the Senate Taxation

_____ Committee

held on _____, 2007.

SB 562 - Amend 201 No
~~Table~~ =
Table - Yes

SB 567 - amendment - Yes
as amendment - Yes

Kelly Gebhardt
SENATOR
STATE OF MONTANA

SENATE PROXY FORM

According to Senate Rule 30-70 (13) (f) , a committee member may vote by proxy using a standard form.

PROXY VOTE

I, the undersigned, hereby authorize Senator Gillan

to vote my proxy on any issue before the Senate Tax

SB567- yes , SB567 and yes Committee

held on March 31, 2007, 2007.

SB-562 amendment - yes
SB-562 TABLE - yes

Judi Schmidt
SENATOR
STATE OF MONTANA

MONTANA STATE SENATE
2007 LEGISLATURE

VISITOR REGISTER

TAXATION

DATE March 31, 2007

BILLS BEING HEARD TODAY Executive Action

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY