

MINUTES

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

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN JIM ELLIOTT**, on March 16, 2007 at 9:00 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: None.
Executive Action: SB 138, SB 174, SB 470, SB 210, SB 464

00:01:23

EXECUTIVE ACTION ON SB 138

00:03:41 **Motion:** SEN. KAUFMANN moved that SB 138 DO PASS.

Discussion:

00:04:14 Lee Heiman, Staff Attorney, Legislative Services Division (LSD)

00:05:22 **Motion:** SEN. GILLAN moved to amend SB 138 with amendment #SB013802.ALH.

EXHIBIT (tas56a01)

00:05:42 David Hunter, Deputy Director, Montana Department of Revenue (DOR)

EXHIBIT (tas56a02)

00:10:11 Sen. Jim Elliott to Mr. Hunter, DOR

00:10:53 Sen. Robert Story to Mr. Hunter, DOR

00:12:05 Sen. Story to Larry Kibbee, Property Casualty Insurance Companies of America (PCI)

00:14:06 Amy Minto, Attorneys Liability Protection Society, RRG, (ALPS)

00:14:49 Sen. Christine Kaufmann to Mr. Hunter, DOR

00:18:17 Sen. Jeff Essmann to Mr. Kibbee, PCI

00:19:43 Sen. Elliott to Mr. Kibbee, PCI

00:22:21 Sen. Elliott to Mr. Hunter, DOR

00:24:53 Sen. Jim Peterson to Mr. Hunter, DOR

00:27:13 Sen. Story to Jacqueline Lenmark, American Insurance Association (AIA)

00:30:16 **Motion:** Motion that amendment #SB013802.ALH be approved unanimously by voice vote. SEN. SCHMIDT was excused.

00:30:36 **Motion:** SEN. HARRINGTON moved that SB 138 DO PASS AS AMENDED.

Discussion:

00:30:54 Sen. Story

00:31:59 Sen. Kaufmann

00:32:59 Sen. Elliott

00:34:50 Sen. Kim Gillan

00:35:41 **Vote: Motion that SB 138 DO PASS AS AMENDED carried 8-3 by roll call vote with SEN. GEBHARDT, SEN. PETERSON, and SEN. STORY voting no. SEN. SCHMIDT voted aye by proxy.**

EXECUTIVE ACTION ON SB 174

00:37:57 **Motion: SEN. ELLIOTT moved that SB 174 DO PASS AS AMENDED.**

EXHIBIT (tas56a03)

Discussion:

00:38:34 Gene Walborn, Montana Department of Revenue, DOR, rereferred to Dan Bucks, Director, Montana Department of Revenue, (DOR)

00:43:42 Sen. Elliott to Holly Franz, Montana Society of Certified Public Accountants (MSCPAs)

00:45:07 Sen. Gillan to Ms. Franz, MSCPAs

00:46:24 Sen. Story to Mr. Walborn, DOR

EXHIBIT (tas56a04)

00:49:17 Sen. Gillan to Mr. Walborn, DOR

00:50:24 Sen. Story to Mr. Walborn, DOR

00:53:21 Director Bucks, DOR

00:55:40 **SEN. ELLIOTT withdrew the DO PASS AS AMENDED motion. No further action was taken.**

EXECUTIVE ACTION ON SB 470

00:56:50 **Motion:** SEN. ELLIOTT moved that SB 470 DO PASS.

Discussion:

00:57:04 Sen. Elliott

EXHIBIT (tas56a05)

00:58:52 Sen. Story to Ms. Franz, MSCPAs

01:00:49 Sen. Elliott to Ms. Franz, MSCPAs

01:01:28 Sen. Elliott to Director Bucks, DOR

01:06:37 Sen. Story to Director Bucks, DOR

01:09:48 Sen. Essmann to Brenda Gilmer, Attorney, Montana
Department of Revenue (DOR)

EXHIBIT (tas56a06)

01:11:17 Sen. Elliott to Ms. Franz, MSCPAs

01:12:54 Sen. Elliott

01:13:33 **Vote:** Motion that SB 470 DO PASS carried 8-3 by roll
call vote with SEN. BLACK, SEN. GEBHARDT, and SEN.
STORY voting no. SEN. SCHMIDT voted aye by proxy.

EXECUTIVE ACTION ON HB 210

Discussion:

01:15:28 Mr. Hunter, DOR

EXHIBIT (tas56a07)

01:15:59 Sen. Story to Mr. Hunter, DOR

01:17:21 Sen. Gillan

01:17:33 **Motion:** SEN. GEBHARDT moved that SB 210 DO PASS.

Discussion:

01:18:39 Sen. Story
01:18:46 Sen. Elliott to Mr. Hunter, DOR
01:20:33 Sen. Story to Mr. Hunter, DOR
01:22:02 Sen. Kaufmann to Mr. Hunter, DOR
01:22:56 Sen. Elliott
01:23:19 Sen. Story
01:23:59 Sen. Essmann
01:24:00 Sen. Story to Mr. Hunter, DOR
01:24:33 Sen. Gebhardt
00:24:90 Sen. Elliott
01:26:27 Sen. Story to Mr. Hunter, DOR
01:30:37 Sen. Elliott
01:34:85 Sen. Gebhardt
01:40:23 Sen. Peterson to Sen. Gebhardt
01:46:29 Sen. Story
01:53:46 Sen. Elliott
01:60:74 Sen. Kaufmann
01:68:97 Sen. Gillan to Sen. Kaufmann
01:78:31 Sen. Story
01:88:36 Sen. Peterson
01:98:74 Sen. Gebhardt
02:11:31 Sen. Elliott
02:25:99 Sen. Gillan
02:41:55 Sen. Peterson

02:57:83 **SEN. GEBHARDT** withdrew the DO PASS motion on SB 210. No further action was taken.

Discussion:

02:75:23 Sen. Story

EXECUTIVE ACTION ON SB 464

02:92:80 **Motion/Vote:** **SEN. GEBHARDT** moved that SB 464 BE TABLED. Motion carried 9-2 by voice vote with **SEN. ELLIOTT** and **SEN. KAUFMANN** voting no. **SEN. SCHMIDT** voted aye by proxy.

Discussion:

03:11:80 Sen. Story to Director Bucks, DOR

03:36:80 Sen. Peterson to Director Bucks, DOR

ADJOURNMENT

Adjournment: 10:50 A.M.

SEN. JIM ELLIOTT, Chairman

LOIS O'CONNOR, Secretary

JE/lo

Additional Exhibits:

EXHIBIT ([tas56aad.pdf](#))