

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Bruce Tutvedt, on March 23, 2011 at 8:00 AM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Bruce Tutvedt, Chair (R)
Sen. Bob Lake, Vice Chair (R)
Sen. Ron Arthun (R)
Sen. Gary Branae (D)
Sen. Ron Erickson (D)
Sen. Kim Gillan (D)
Sen. Christine Kaufmann (D)
Sen. Art Wittich (R)

Members Excused:

Sen. Jeff Essmann (R)
Sen. Jim Peterson (R)
Sen. Kendall Van Dyk (D)
Sen. Chas Vincent (R)

Members Absent: None

Staff Present:

Lee Heiman, Legislative Branch
Debra Polhemus, 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: SB 401, 3/10/2011; SB 408, 3/15/2011; SB 412, 3/18/2011

Executive Action: SB 274 ~ Amendment Added

00:00:55 Senator Gillan assumed the responsibilities of Chair of the committee when Senator Tutvedt left the hearing.

HEARING ON SB 412

Opening Statement by Sponsor:

00:00:35 Sen. Shannon Augare (D), SD 8, opened the hearing on SB 412, Revise laws to temporarily exempt tribal fee land in trust land process.

Proponents' Testimony:

00:02:34 Steve Lozar, member, Confederated Salish and Kootenai Tribe Council
EXHIBIT(tas65a01)

00:05:36 Majel M. Russell, Attorney, Billings, representing the Blackfeet Tribe

00:17:20 Dan Bucks, Director, Department of Revenue (DOR)

00:26:02 Frank Smith, HD31

00:27:38 Henry Butterfly, member, Blackfeet Tribe

00:30:02 Carolyn Pease -Lopez, HD 42

00:30:34 Cynthia Monteau Moore, Administrator, Property Assessment Division, DOR

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:34:12 Sen. Branae

00:34:31 Majel Russell

00:36:48 Sen. Arthun

00:37:08 Sen. Augare

00:37:45 Sen. Tutvedt

00:38:05 Sen. Augare

00:39:03 Sen. Arthun

00:39:16 Sen. Augare

00:39:32 Sen. Kaufmann

00:39:44 Majel Russell

Closing by Sponsor:

00:40:56 Sen. Shannon Augare

HEARING ON SB 408

Opening Statement by Sponsor:

00:42:21 Sen. Christine Kaufmann (D), SD 41, opened the hearing on SB 408, Revise oil and gas "tax holiday".

Proponents' Testimony:

00:53:59 Molly Severtson, The Policy Institute, Helena
[EXHIBIT\(tas65a02\)](#)
[EXHIBIT\(tas65a03\)](#)
[EXHIBIT\(tas65a04\)](#)
01:01:49 Sarah Wilhelm, representing Montana Budget and Policy Center (MBPC)
01:04:00 Richard Parks, North Plains Resource Council, Gardiner
[EXHIBIT\(tas65a05\)](#)
01:06:00 Anita Roessmann, representing Disability Rights Montana
01:08:26 Anne Hedges, representing Montana Environmental Information Center (MEIC)
01:10:54 Jamee Greer, representing Montana Human Rights Network
01:12:24 Diane Fladmo, representing MEA/MFT

Opponents' Testimony:

01:13:54 Patrick Montalban, representing Northern Montana Oil and Gas Association (NMOGA)
[EXHIBIT\(tas65a06\)](#)
[EXHIBIT\(tas65a07\)](#)
01:21:04 Dave Galt, Executive Director, Montana Petroleum Association (MPA)
01:27:11 Bruce Williams, consultant, representing Fidelity Exploration & Production Company
01:30:37 Tom Ebzery, Attorney, representing Devon Energy and XTO Energy
01:34:14 Willie Duffield, representing Montana Association of Oil and Gas Producing Counties (MAOGC)
01:37:03 Ed Bartlett, representing Continental Resources, Oklahoma
01:38:36 Bob Gilbert, representing Rosebud, Musselshell, and Dawson Counties
01:39:33 Webb Brown, representing Montana Chamber of Commerce

Informational Testimony:

01:40:30 Mark Haggerty, Headwaters Economics, Bozeman
01:43:38 Lee Baerlocher, DOR

Questions from Committee Members and Responses:

01:44:00 Sen. Arthun
01:44:22 Molly Severtson, The Policy Institute
01:44:57 Sen. Arthun
01:45:26 Molly Severtson
01:45:35 Sen. Erickson
01:46:05 Patrick Montalban, NMOGA
01:47:25 Sen. Erickson
01:48:06 Mark Haggerty
01:51:55 Sen. Erickson
01:52:23 Mark Haggerty
01:53:47 Sen. Erickson
01:54:19 Sen. Kaufmann
01:56:00 Sen. Lake

01:56:35 Sen. Kaufmann
01:59:18 Sen. Lake
01:59:56 Sen. Kaufmann
02:00:50 Sen. Lake
02:01:29 Mark Haggerty
02:02:23 Sen. Gillan
02:03:09 Mark Haggerty
02:03:51 Sen. Gillan
02:04:00 Mark Haggerty
02:05:01 Sen. Lake
02:06:00 Sen. Kaufmann
02:07:27 Lee Baerlocher, DOR
02:08:17 Sen. Lake
02:09:14 Lee Baerlocher
02:09:42 Sen. Arthun
02:10:04 Patrick Montalban
02:11:42 Sen. Gillan
02:12:05 Patrick Montalban
02:12:58 Sen. Gillan
02:14:31 Dave Galt, MPA

Closing by Sponsor:

02:15:37 Sen. Christine Kaufmann
02:19:50 Recess
02:34:46 Reconvene ~ Senator Lake assumed responsibility of Chair of the committee

HEARING ON SB 401

Opening Statement by Sponsor:

02:35:11 Sen. Ron Erickson (D), SD 47, opened the hearing on SB 401, Constitutional trust fund for oil and gas taxes.

Proponents' Testimony:

02:43:46 Anne Hedges, representing Montana Environmental Informational Center (MEIC)
02:46:19 Molly Severtson, representing The Policy Institute
02:47:22 Richard Parks, representing Northern Plains Resource Council (NPRC)

EXHIBIT(tas65a08)

Opponents' Testimony:

02:49:39 Dave Galt, Executive Director, Montana Petroleum Association (MPA)
02:51:36 Willie Duffield, representing Montana Association of Oil and Gas Producing Counties
02:52:24 Bruce Williams, representing Fidelity Exploration and Production Company
02:53:27 Bob Gilbert, representing Dawson, Rosebud and Musselshell Counties

02:55:30 Richard Dunbar, President, Montana Association of Oil and Gas Producing
Counties, also Phillips County Commissioner
02:56:51 Gary Amestoy, representing Richland County Economic Development
Corporation

Informational Testimony: None

Questions from Committee Members and Responses:

02:57:34 Sen. Kaufmann
02:58:00 Sen. Erickson
03:00:10 Sen. Kaufmann
03:00:50 Mark Haggerty, Headwaters Economics, without objection from the committee
03:02:01 Sen. Lake
03:02:40 Sen. Erickson

Closing by Sponsor:

03:04:56 Sen. Ron Erickson

EXECUTIVE ACTION ON SB 274

(Senators Tutvedt, Gillan, Peterson, Vincent, Essmann and Van Dyk are excused)

03:06:23 **Motion:** Sen. Arthun moved that **SB 274 DO PASS.**

03:06:39 **Motion:** Sen. Arthun moved that **SB 274 BE AMENDED.**
EXHIBIT(tas65a09)

Discussion:

03:06:57 Lee Heiman, Legislative Services Division (LSD)
03:07:41 Sen. Lake

03:07:56 **Vote:** Motion carried 6-0 by voice vote of those present and voting.

03:08:25 Sen. Lake requested SB 274 be held until a revised fiscal note is received.

Committee Business:

03:08:33 Sen. Wittich
03:09:24 Sen. Lake
03:09:46 Sen. Erickson
03:10:01 Sen. Wittich
03:10:18 Sen. Erickson

ADJOURNMENT

Adjournment: 11:15 A.M.

Debra Polhemus, Secretary

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Additional Documents:

EXHIBIT([tas65aad.pdf](#))