

BUSINESS REPORT

MONTANA SENATE TAXATION COMMITTEE 62nd LEGISLATURE ~ REGULAR SESSION

Date: March 18, 2011

Place: Capitol

Time: 9:00 A.M.

Room: 405

BILLS and RESOLUTIONS HEARD:

HB 467

EXECUTIVE ACTION TAKEN:

HB 467 ~ Do Concur

HB 111 ~ Do Concur As Amended

HB 333 ~ Do Concur

SJ 17 ~ Do Pass

SB 371 ~ Do Pass As Amended

SB 382 ~ Do Pass As Amended

SB 358 ~ Do Pass As Amended

SB 346 ~ Tabled

SB 393 ~ Tabled

COMMENTS:



Senator Bruce Tutvedt, Chairman

MONTANA STATE SENATE
ROLL CALL
TAXATION
COMMITTEE

DATE: March 18, 2011

NAME	PRESENT	ABSENT/ EXCUSED
Chairman Tutvedt	✓	
Vice Chair Lake	✓	
Senator Arthun	✓	
Senator Branae	✓	
Senator Erickson	✓	
Senator Essmann		✓
Senator Gillan	✓	
Senator Kaufmann	✓	
Senator Peterson		✓
Senator Van Dyk	✓	
Senator Vincent		✓
Senator Wittich		✓

12 Committee Members



SENATE STANDING COMMITTEE REPORT

March 18, 2011

Page 1 of 1

Mr. President:

We, your committee on **Taxation** recommend that **House Bill 467** (third reading copy -- blue) be **concurrent in**.

Signed:

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

Senator Bruce Tutvedt, Chair

To be carried by Senator Bruce Tutvedt

- END -

Committee Vote:

Yes 8, No 0

Fiscal Note Required

HB0467001SC06485.sdr

OR



SENATE STANDING COMMITTEE REPORT

March 18, 2011

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Mr. President:

We, your committee on **Taxation** recommend that **House Bill 111** (third reading copy -- blue) be **concurrred in as amended**.

Signed: _____

Senator Bruce Tutvedt, Chair

To be carried by Senator Ron Erickson

And, that such amendments read:

1. Page 1, line 24.

Following: "fund"

Insert: "and distribute the portion of the amount deducted that was paid with federal funds to the department of administration for return to the federal government as provided in 17-3-106(2)"

2. Page 1, line 27.

Following: "fund,"

Insert: "distributed to the department of administration,"

3. Page 3, line 1.

Following: "fund"

Insert: "and distribute the portion of taxes paid with federal funds to the federal government"

- END -

Committee Vote:

Yes 9, No 0

Fiscal Note Required

HB0111001SC05157.sdr

DR



SENATE STANDING COMMITTEE REPORT

March 18, 2011

Page 1 of 1

Mr. President:

We, your committee on **Taxation** recommend that **House Bill 333** (third reading copy -- blue) be **concurrent in**.

Signed: _____

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

Senator Bruce Tutvedt, Chair

To be carried by Senator Bob Lake

- END -

Committee Vote:

Yes 7, No 5

Fiscal Note Required

HB0333001SC02604.sdr

DR



SENATE STANDING COMMITTEE REPORT

March 18, 2011

Page 1 of 1

Mr. President:

We, your committee on **Taxation** recommend that **Senate Joint Resolution 17** (first reading copy -- white) **do pass as amended.**

Signed: _____

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

Senator Bruce Tutvedt, Chair

And, that such amendments read:

1. Page 1, line 10 through page 1, line 28.

Strike: page 1, line 10 through page 1, line 28 in their entirety

Insert: "WHEREAS, the Legislature has heard concerns about centrally assessed property and large industrial facility taxation; and"

2. Page 1, line 30.

Strike: "; and"

Insert: "."

3. Page 2, line 1 through line 7.

Strike: line 1 through line 7 in their entirety

4. Page 3, line 4.

Following: "assessment"

Insert: ", including equalization with other classes of property,"

- END -

Committee Vote:

Yes 9, No 0

Fiscal Note Required

SJ0017001SC.sdr

Handwritten initials in black ink, possibly "BT" or "BT/ed", located in the bottom right corner of the page.



SENATE STANDING COMMITTEE REPORT

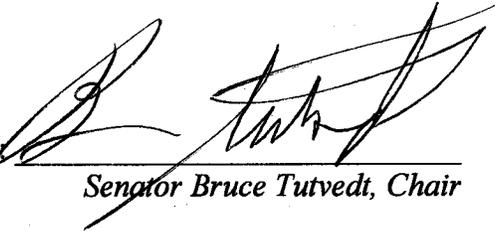
March 18, 2011

Page 1 of 2

Mr. President:

We, your committee on **Taxation** recommend that **Senate Bill 371** (first reading copy -- white) **do pass as amended.**

Signed


Senator Bruce Tutvedt, Chair

And, that such amendments read:

1. Title, page 1, line 6 through line 9.

Strike: "PROVIDING" on line 6 through "CHEMICALS;" on line 9

2. Title, page 1, lines 10 AND 11.

Strike: "15-6-219" on line 10 through "27-1-720," on line 11

Following: "90-1-118" on line 11

Strike: ", "

3. Title, page 1, line 11 through line 12.

Following: "DATE"

Strike: "AND" on line 11 through "DATES" on line 12

4. Page 1, line 16.

Strike: "7"

Insert: "4"

5. Page 1, line 30.

Strike: "7"

Insert: "4"

6. Page 2, line 2.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

7. Page 2, line 7 through line 9.

Strike: subsection (4) in its entirety

Committee Vote:

Yes 8, No 4

Fiscal Note Required

SB0371001SC.sdr

DK

Renumber: subsequent subsections

8. Page 2, line 20 through page 3, line 17.

Strike: sections 4 and 5 in its entirety

Renumber: subsequent subsections

9. Page 3, line 23 through page 11, line 21.

Strike: section 7 through section 12 in their entirety

Renumber: subsequent sections

10. Page 12, line 14.

Strike: "6"

Insert: "4"

11. Page 13, line 1.

Strike: "6"

Insert: "4"

12. Page 13, line 4.

Strike: "(1)"

Strike: "7"

Insert: "4"

13. Page 13, line 6.

Strike: "7"

Insert: "4"

14. Page 13, lines 7 and 8.

Strike: subsection (2) in its entirety

15. Page 13, line 16 through line 20.

Strike: section 18 in its entirety

- END -



SENATE STANDING COMMITTEE REPORT

March 18, 2011

Page 1 of 2

Mr. President:

We, your committee on **Taxation** recommend that **Senate Bill 382** (first reading copy -- white) **do pass as amended.**

Signed: _____

Senator Bruce Tutvedt, Chair

And, that such amendments read:

1. Title, lines 5 and 6.

Strike: "; AND" on line 5 through "DATE" on line 6

2. Page 1, line 12.

Following: line 11

Insert: "current year"

3. Page 1, line 14.

Strike: "justification for including each"

Insert: "rationale for adding or deleting a"

Following: "property"

Insert: "from those included"

Following: "study"

Insert: "in the prior year"

4. Page 1, line 16.

Following: line 15

Insert: "current year"

Strike: "at least"

5. Page 1, line 17.

Following: "issuing"

Insert: "the current year"

6. Page 1, line 18.

Strike: "10"

Committee Vote:

Yes 8, No 1

Fiscal Note Required

SB0382001SC.sdr

al

Insert: "20"

Strike: "receipt"

Insert: "the close of the comment period"

7. Page 1, line 21.

Following: "value"

Insert: "by more than 15%"

8. Page 1, line 24.

Insert: "(5) Nothing in this section may be construed as affecting an appraisal judgment.

(6) Inaccuracy or inadequacy of compliance with this section does not invalidate a determination of value or provide independent grounds for appeal."

9. Page 1, line 28.

Strike: section 3 in its entirety

- END -



SENATE STANDING COMMITTEE REPORT

March 18, 2011

Page 1 of 1

Mr. President:

We, your committee on **Taxation** recommend that **Senate Bill 358** (second reading copy -- yellow) **do pass as amended.**

Signed: _____

A handwritten signature in black ink, appearing to read "Bruce Tutvedt".

Senator Bruce Tutvedt, Chair

And, that such amendments read:

1. Title, line 9 through line 10.

Strike: ", INCLUDING ADJACENT AREAS OR DISTRICTS"

2. Page 29, line 10 through line 11.

Strike: "OR IF" on line 10 through "640 ACRES" on line 11

- END -

Committee Vote:

Yes 11, No 1

Fiscal Note Required

SB0358002SC.sdr

Dr

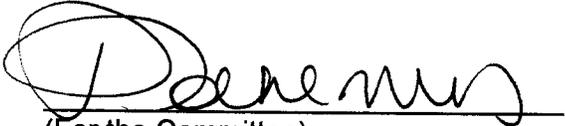
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SENATE TAXATION COMMITTEE

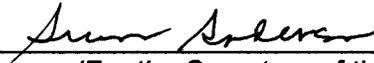
The SENATE TAXATION COMMITTEE TABLED

SB 346 - Require Dept of Revenue to provide certain information on website
SB 393 - Revise tax law by providing refundable tax credit for property taxes paid

, by motion, on **Friday, March 18, 2011.**



(For the Committee)



(For the Secretary of the Senate)
11:45 , 3/18/11
(Time) (Date)

March 18, 2011

Debra Polhemus, Secretary

Phone: 1619

MONTANA STATE SENATE ROLL CALL VOTE

TAXATION COMMITTEE

DATE: March 18, 2011

BILL NO: HB333 MOTION: be amended

NAME	AYE	NAY	PROXY
Vice Chair Lake		✓	
Senator Arthun	✓		
Senator Branae		✓	
Senator Erickson		✓	
Senator Essmann		✓	✓
Senator Gillan		✓	
Senator Kaufmann		✓	
Senator Peterson	✓	✓	✓
Senator Van Dyk		✓	✓
Senator Vincent	✓		✓
Senator Wittich	✓		
Chairman Tutvedt		✓	

12 Committee Members

Vote: 4-8
fails

MONTANA STATE SENATE ROLL CALL VOTE

TAXATION COMMITTEE

DATE: March 18, 2011

BILL NO: HB333 MOTION: do concur

NAME	AYE	NAY	PROXY
Vice Chair Lake	✓		
Senator Arthun	✓		
Senator Branae		✓	
Senator Erickson		✓	
Senator Essmann	✓		✓
Senator Gillan		✓	
Senator Kaufmann		✓	
Senator Peterson	✓		✓
Senator Van Dyk		✓	
Senator Vincent	✓		✓
Senator Wittich	✓		
Chairman Tutvedt	✓		

12 Committee Members

7-5

Vote: _____

MONTANA STATE SENATE ROLL CALL VOTE

TAXATION COMMITTEE

DATE: March 18, 2011

BILL NO: SB371 MOTION: be amended

NAME	AYE	NAY	PROXY
Vice Chair Lake	✓		
Senator Arthun	✓		
Senator Branae		✓	
Senator Erickson		✓	
Senator Essmann	✓		✓
Senator Gillan	✓		
Senator Kaufmann		✓	
Senator Peterson	✓		✓
Senator Van Dyk		✓	
Senator Vincent	✓		✓
Senator Wittich		✓	
Chairman Tutvedt	✓		

12 Committee Members

7-5 passes

Vote: ✓

MONTANA STATE SENATE ROLL CALL VOTE

TAXATION COMMITTEE

DATE: March 18, 2011

BILL NO: SB371 MOTION: To Table

NAME	AYE	NAY	PROXY
Vice Chair Lake		✓	
Senator Arthun		✓	
Senator Branae	✓		
Senator Erickson	✓		
Senator Essmann		✓	✓
Senator Gillan	✓		
Senator Kaufmann	✓		
Senator Peterson		✓	✓
Senator Van Dyk	✓		
Senator Vincent		✓	✓
Senator Wittich		✓	
Chairman Tutvedt		✓	

12 Committee Members

Vote: 5-7 fails

MONTANA STATE SENATE ROLL CALL VOTE

TAXATION COMMITTEE

DATE: March 18, 2011

BILL NO: SB371 MOTION: amended

NAME	AYE	NAY	PROXY
Vice Chair Lake	✓		
Senator Arthun	✓		
Senator Branae	✓		
Senator Erickson		✓	
Senator Essmann	✓		✓
Senator Gillan	✓		
Senator Kaufmann		✓	
Senator Peterson	✓		✓
Senator Van Dyk	✓		
Senator Vincent	✓		✓
Senator Wittich		✓	
Chairman Tutvedt	✓		

12 Committee Members

9-3

Vote: _____

MONTANA STATE SENATE ROLL CALL VOTE

TAXATION COMMITTEE

DATE: March 18, 2011

BILL NO: SB371 MOTION: dpaad

NAME	AYE	NAY	PROXY
Vice Chair Lake	✓		
Senator Arthun	✓		
Senator Branae		✓	
Senator Erickson		✓	
Senator Essmann	✓		✓
Senator Gillan	✓		
Senator Kaufmann		✓	
Senator Peterson	✓		✓
Senator Van Dyk		✓	
Senator Vincent	✓		✓
Senator Wittich	✓		
Chairman Tutvedt	✓		

12 Committee Members

8-4

Vote: _____

MONTANA STATE SENATE ROLL CALL VOTE

TAXATION COMMITTEE

DATE: March 18, 2011

BILL NO: SB382 MOTION: concep. amend

NAME	AYE	NAY	PROXY
Vice Chair Lake		✓	
Senator Arthun		✓	
Senator Branae	✓		
Senator Erickson	✓		
Senator Essmann	✓		✓
Senator Gillan	✓		
Senator Kaufmann	✓		
Senator Peterson		✓	✓
Senator Van Dyk	✓		
Senator Vincent	✓	✓	✓
Senator Wittich		✓	
Chairman Tutvedt	✓		

12 Committee Members

Vote: _____

8-4

Vote changed by Chair Tutvedt

MONTANA STATE SENATE ROLL CALL VOTE

TAXATION COMMITTEE

DATE: March 18, 2011

BILL NO: SB 393 MOTION: do pass

NAME	AYE	NAY	PROXY
Vice Chair Lake		✓	
Senator Arthun		✓	
Senator Branae	✓		
Senator Erickson	✓		
Senator Essmann		✓	✓
Senator Gillan	✓		
Senator Kaufmann	✓		
Senator Peterson		✓	✓
Senator Van Dyk	✓		
Senator Vincent		✓	✓
Senator Wittich		✓	
Chairman Tutvedt		✓	

12 Committee Members

5-7 fails

Vote: _____

MONTANA STATE SENATE ROLL CALL VOTE

TAXATION COMMITTEE

DATE: March 18, 2011

BILL NO: SB358 MOTION: do pass as amend

NAME	AYE	NAY	PROXY
Vice Chair Lake	✓		
Senator Arthun	✓		
Senator Branae	✓		
Senator Erickson	✓		
Senator Essmann	✓		✓
Senator Gillan	✓		
Senator Kaufmann	✓		
Senator Peterson	✓		✓
Senator Van Dyk	✓		✓
Senator Vincent	✓		✓
Senator Wittich		✓	
Chairman Tutvedt	✓		

12 Committee Members

Vote: 11-1

AUTHORIZED SENATE COMMITTEE PROXY

I, Senator Jeff Essmann, request to be excused from the

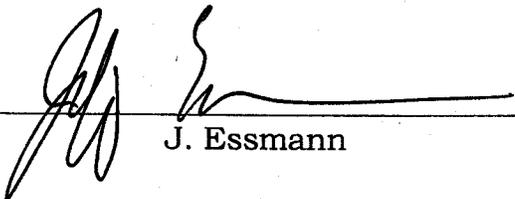
TAXATION COMMITTEE

due to my other commitment. I desire to leave my proxy vote with:

Vice Chairman Bob Lake

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 333 A 01	X				
HB 333 A	X				
SB 371 A 01	X				
SB 371 A 02	X				
SB 371 A	X				
SB 382 #1		X			
SB 393		X			
SB 358 A	X				

Sen.  _____
J. Essmann

Date _____

AUTHORIZED SENATE COMMITTEE PROXY

I, Senator Chas Vincent, request to be excused from the

TAXATION COMMITTEE

due to my other commitment. I desire to leave my proxy vote with:

Vice Chairman Bob Lake

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 333 A 01	X				
HB 333 A	X				
SB 371 A 01	X				
SB 371 A 02	X				
SB 371 A 03	X				
SB 382 #7	X				
SB 393		X			
SB 358 A 16	X				

Sen. Chas Vincent
C. Vincent

Date _____

VISITORS REGISTER

MONTANA SENATE TAXATION COMMITTEE

Date: **March 18, 2011** Bill No: **HB 467**

Sponsor: **Representative Randy Brodehl**

(Allow tax credits to community, tribal, technical, college endowments)

Please print ~ Please print ~ Please print ~ Please print

NAME	REPRESENTING	Support	Oppose	Informat'l
Jane Keras	FJCC	✓		
Jeff Lewis	attorney	✓		
Stefany Hicswa	mtcc	✓		
Tim Lough	Dawson CC	✓		
Aidan Myhre	Kalispell Chamber	✓		
Sheila Stearns	Mt Univ System	✓		

*Please leave prepared testimony with Committee Secretary. Witness Statement
Forms are available if you prefer to submit written testimony.*