

# Montana State Legislature

## **2013 Session**

### **ADDITIONAL DOCUMENTS MAY INCLUDE THE FOLLOWING:**

- **Business Report**
- **Roll Call - Attendance**
- **Standing Committee Reports**
- **Tabled Bills**
- **Fiscal Reports etc.**
- **Roll Call Votes**
- **Informational Items**
- **Witness Statements**
- **Any Documents; such as;**
  - \* **Petitions if any.**
  - \* **Any and all material handed end after the meeting ends.**

**The original is on file at the  
Montana Historical Society  
and may be viewed there.**

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**BUSINESS REPORT**

**MONTANA SENATE  
63rd LEGISLATURE - REGULAR SESSION**

**SENATE FREE CONFERENCE COMMITTEE**

**Date:** Tuesday, April 23, 2013

**Place:** Capitol

**Time:** 11:30 A.M.

**Room:** 405

**BILLS and RESOLUTIONS HEARD:**

**EXECUTIVE ACTION TAKEN:**

SB 282 - Generally revise taxation of income, including the corporate license tax - Sen. Bruce Tutvedt

**Comments:**



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Sen. Fred Thomas, Chair

# MONTANA STATE SENATE

## ROLL CALL

# FREE CONFERENCE COMMITTEE

Date: 4-23-13 HB/SB No. 282

NAME	PRESENT	ABSENT/ EXCUSED
Sen. Clark Thomas	✓	
Sen. Tutvedt	✓	
Sen. Phillips	✓	
Rep. Osmundson	✓	
Rep. Hansen	✓	
Rep. Coffin	✓	

Staff: Megan Moore

Secretary: Charlene Devine

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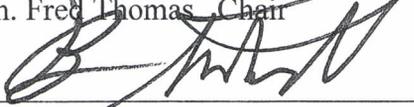
**FREE CONFERENCE COMMITTEE  
on Senate Bill 282  
Report No. 001, April 23, 2013**

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 282** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

For the Senate:

  
\_\_\_\_\_  
Sen. Fred Thomas, Chair

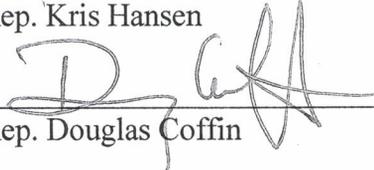
  
\_\_\_\_\_  
Sen. Bruce Tutvedt

\_\_\_\_\_  
Sen. Mike Phillips  
  
\_\_\_\_\_  
Amendment Coordinator

For the House:

\_\_\_\_\_  
Rep. Ryan Osmundson Vice Chair

  
\_\_\_\_\_  
Rep. Kris Hansen

  
\_\_\_\_\_  
Rep. Douglas Coffin

And, recommend that **Senate Bill 282** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 21.  
**Following:** "~~15-32-104,~~"  
**Insert:** "15-32-104,"  
**Strike:** "15-32-201,"

2. Title, page 1, line 27.  
**Following:** "~~15-30-2319,~~"  
**Insert:** "15-30-2319,"

3. Title, page 1, line 29.

**ADOPT**  
**REJECT**

**Amendment # SB 282001**

**Following:** "~~15-32-109,~~"

**Insert:** "15-32-109,"

**Following:** "~~15-32-203,~~"

**Insert:** "15-32-201, 15-32-202, 15-32-203,"

4. Page 15, line 17.

**Strike:** "3.5%"

**Insert:** "4%"

5. Page 15, line 18.

**Strike:** "5.75%"

**Insert:** "6%"

6. Page 15, line 20.

**Strike:** "3.5%"

**Insert:** "4%"

7. Page 15, line 21.

**Strike:** "5.75%"

**Insert:** "6%"

8. Page 15, line 24.

**Strike:** "3.5%"

**Insert:** "4%"

9. Page 15, line 25.

**Strike:** "5.75%"

**Insert:** "6%"

10. Page 15, line 28.

**Strike:** "3.5%"

**Insert:** "4%"

11. Page 15, line 29.

**Strike:** "5.75%"

**Insert:** "6%"

12. Page 16, line 13.

**Strike:** the first "3.5%"

**Insert:** "4%"

**Strike:** the second "3.5%"

**Insert:** "4%"

13. Page 16, line 14.

**Strike:** "5.75%"

**Insert:** "6%"

14. Page 16, line 15.

**Strike:** "3.5%"

**Insert:** "4%"

15. Page 16, line 21.

**Strike:** "3.5%"

**Insert:** "4%"

16. Page 16, line 22.

**Strike:** "2%"

**Insert:** "2.5%"

17. Page 16, line 24.

**Strike:** "3.5%"

**Insert:** "4%"

18. Page 16, line 25.

**Strike:** "3.5%"

**Insert:** "4%"

19. Page 16, line 26.

**Strike:** "3.5%"

**Insert:** "4%"

20. Page 16, line 29.

**Strike:** "3.5%"

**Insert:** "4%"

21. Page 16, line 30.

**Strike:** "2%"

**Insert:** "2.5%"

22. Page 17, line 2.

**Strike:** "4.25%"

**Insert:** "4.5%"

23. Page 17, line 3.

**Strike:** "5.75%"

**Insert:** "6%"

24. Page 17, line 4.

**Strike:** "4.25%"

**Insert:** "4.5%"

25. Page 41, line 9.

**Insert:** "**Section 32.** Section 15-32-104, MCA, is amended to read:

"**15-32-104. Limitations on deduction and credit.** Tax treatment under 15-32-103 and ~~15-32-109~~ is limited to persons and firms not primarily engaged in the provision of gas or electricity derived from fossil fuel extraction or conventional hydroelectric development.""

**Renumber:** subsequent sections

26. Page 41, line 12 through line 13.

**Strike:** "THE" on line 12 through "15-32-109." on line 13

27. Page 41, line 14.

**Strike:** "OR CREDIT"

**Strike:** "OR 15-32-109"

28. Page 41, line 16.

**Strike:** "OR CREDIT"

**Strike:** "OR ENERGY CONSERVATION"

29. Page 41, line 19.

**Following:** "days."

**Insert:** "The department may refer a deduction involving energy conservation to the department of labor and industry for its advice, and the department of labor and industry shall respond within 60 days."

30. Page 41, line 20.

**Strike:** "OR CREDIT"

31. Page 41, line 22 through page 42, line 5.

**Strike:** section 33 in its entirety

**Renumber:** subsequent subsections

32. Page 81.

**Following:** line 13

**Insert:** "15-30-2319. Credit for energy-conserving investments."

33. Page 82.

**Following:** line 1

**Insert:** "15-32-109. Credit for energy-conserving expenditures."

34. Page 82.

**Following:** line 5

**Insert:** "15-32-201. Amount of credit -- to whom available.

15-32-202. Taxable years in which credit may be claimed -- carryover.

15-32-203. Department to make rules."

- END -

# MONTANA STATE SENATE

## ROLL CALL VOTE

### FREE CONFERENCE COMMITTEE

Date: 4-23-13 HB/SB No. 282  
*Conceptual 3.9 - Substitute Motion*

NAME	AYE	NO
Sen. Chair Thomas		✓
Sen. Tutvedt		✓
Sen. Phillips		✓
Rep. Osmundson		✓
Rep. Hansen	✓	
Rep. Coffin	✓	

Vote by chamber:

Senate: Aye 3 No 0

House: Aye 1 No 2

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# MONTANA STATE SENATE

## ROLL CALL VOTE

### FREE CONFERENCE COMMITTEE

Date: 4-23-13 HB/SB No. 282

3.5

NAME	AYE	NO
Sen. Chair Thomas	✓	
Sen. Tutvedt	✓	
Sen. Phillips		✓
Rep. Os mundson	✓	
Rep. Hansen	✓	
Rep. Coffin		✓

Vote by chamber:

Senate: Aye 2 No 1

House: Aye 2 No 1



	Amendment	Vote (who voted Yes)	Pass / Fail
1	✓ SB028222. amm	Thomas, Tutvedt, Hansen, Osmundson	Pass
2	* <del>SB028212. amm</del>	Phillips, Coffin, Osmundson <sup>(? or Hansen)</sup>	Fail
3	<del>SB028221. ajc</del>	Phillips, Coffin	Fail
4	<del>SB028223. ajc</del>	Phillips, Coffin	Fail
5	✓ SB028215. amm	Phillips, Coffin	Fail
6	✓ SB028216. amm	Phillips, Coffin	Fail
7	✓ SB028217. amm	Phillips, Coffin, Hansen	Fail

substitute notion - conceptual rate in SB028217 to 3.9%

Hansen, Coffin

Fail

Reconsider 202222. amm (reinsert) unanimous

Pass

Bill as amended Thomas, Tutvedt, Hansen, Osmundson Pass

