

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Mike Miller, on April 11, 2013 at 9:00 A.M., in Room 152 Capitol

ROLL CALL

Members Present:

Rep. Mike Miller, Chair (R)
Rep. Kelly Flynn, Vice Chair (R)
Rep. JP Pomnichowski, Vice Chair (D)
Rep. Douglas Coffin (D)
Rep. Wylie Galt (R)
Rep. Brian Hoven (R)
Rep. Tom Jacobson (D)
Rep. Austin Knudsen (R)
Rep. Steve Lavin (R)
Rep. Ed Lieser (D)
Rep. Edith (Edie) McClafferty (D)
Rep. Mary McNally (D)
Rep. Alan Redfield (R)
Rep. Kerry White (R)
Rep. Kathleen Williams (D)
Rep. Nancy Wilson (D)

Members Excused: Rep. Kris Hansen (R)
Rep. Lee Randall (R)
Rep. Nicholas Schwaderer (R)
Rep. Daniel Zolnikov (R)

Members Absent: None

Staff Present: Megan Moore, Legislative Branch
Rebecca Shaw, 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 96, 4/5/2013; SB 350, 4/5/2013; SB 240, 04/08/2013
Executive Action: SB 231, SB 280

HEARING ON SB 350

Opening Statement by Sponsor:

00:22:01 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 350, Generally revise revenue estimate laws.
00:23:35 Rep. Zolnikov entered.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:27:22 Rep. White
00:28:03 Sen. Tutvedt

Closing by Sponsor:

00:29:21 Sen. Tutvedt

HEARING ON SB 240**Opening Statement by Sponsor:**

00:30:54 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 240, Revise taxation of pollution control equipment.

Proponents' Testimony:

00:33:19 Aimee Grmoljez, Ashgrove Cement
00:35:55 Mark Lambrecht, Executive Director, Treasure State Resource Industry Association (TSRIA)
00:37:25 Dick Johnson, Plant Manager, Ashgrove Cement
[EXHIBIT\(tah76a01\)](#)
[EXHIBIT\(tah76a02\)](#)
00:46:48 Dave Galt, Executive Director, Montana Petroleum Association (MPA)
[EXHIBIT\(tah76a03\)](#)
[EXHIBIT\(tah76a04\)](#)
00:48:44 Nancy Schlepp, Montana Taxpayers Association (MontTax)
[EXHIBIT\(tah76a05\)](#)
00:49:58 Ron Devlin, Northwestern Energy
00:51:02 Tom Hopgood, Executive Director, Montana Mining Association (MMA)
00:51:52 Doug Hardy, Montana Rural Electric Association
00:52:42 Tom Ebzery, Puget Sound Energy, CenturyLink, Portland Energy and Portland General Electric
00:52:51 Margaret Morgan, Holcim Cement
00:53:50 Glenn Oppel, Government Relations Director, Montana Chamber of Commerce
00:54:02 Julia Altemus, Executive Director, Montana Wood Products Association (MWPA)

Opponents' Testimony: None

Informational Testimony:

00:55:11 Gene Walborn, Administrator, Business and Income Taxes Division, Department of Revenue (DOR)
00:55:29 Dave Klemp, Bureau Chief, Air Resources Management Bureau, Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses:

00:56:25 Rep. White
00:56:33 Mark Lambrecht, TSRIA
00:56:39 Rep. Coffin
00:58:16 Sen. Tutvedt
00:58:21 Rep. Coffin
00:58:24 Chair Miller
00:58:29 Rep. Jacobson
00:59:37 Dick Johnson, Ashgrove Cement
01:00:02 Rep. Jacobson
01:00:10 Dick Johnson, Ashgrove Cement
01:00:13 Rep. Jacobson
01:00:21 Dick Johnson, Ashgrove Cement
01:01:57 Rep. Jacobson
01:02:02 Dick Johnson, Ashgrove Cement
01:04:19 Rep. Wilson
01:04:30 Dick Johnson, Ashgrove Cement
01:05:57 Rep. Wilson
01:06:02 Dick Johnson, Ashgrove Cement
01:08:34 Rep. Wilson
01:08:39 Dick Johnson, Ashgrove Cement
01:09:11 Rep. Wilson
01:10:49 Sen. Tutvedt
01:11:17 Rep. Randall entered.
01:11:26 Chair Miller
01:11:31 Dick Johnson, Ashgrove Cement
01:12:32 Rep. Hoven
01:13:16 Dick Johnson, Ashgrove Cement
01:13:30 Rep. Hoven
01:13:34 Dick Johnson, Ashgrove Cement
01:14:29 Rep. Pomnichowski
01:14:54 Steve Cleverdon, Tax, Policy and Research, Department of Revenue (DOR)
01:17:28 Rep. Pomnichowski
01:18:03 Mr. Cleverdon, DOR
01:18:23 Sen. Tutvedt
01:19:43 Rep. Pomnichowski
01:19:43 Sen. Tutvedt
01:19:59 Chair Miller
01:20:04 Mr. Klemp, DEQ
01:20:44 Rep. Williams
01:21:36 Rep. McNally
01:21:48 Mr. Klemp, DEQ
01:23:42 Rep. McNally
01:23:48 Mr. Klemp, DEQ

Closing by Sponsor:

01:24:21 Sen. Tutvedt

01:26:29 Recessed.

01:40:13 Reconvened with Rep. Schwaderer, Rep. Hansen and Rep. Knudsen were excused.

HEARING ON SB 96**Opening Statement by Sponsor:**

01:40:28 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 96, Lower the business and equipment tax.

Proponents' Testimony:

01:43:40 Nancy Schlepp, MontTax

01:43:56 Cary Hegreberg, Executive Director, Montana Contractors Association (MCA)

01:46:03 Glenn Oppel, Montana Chamber of Commerce

EXHIBIT(tah76a06)

01:46:14 Riley Johnson, State Director, National Federation of Independent Businesses (NFIB)

01:46:53 Elaine Taylor, Montana Beverage Association

01:47:47 Shantil Siaperes, Legislative Coordinator, Montana Association of Counties (MACo)

01:48:09 Rhonda Wiggers, Helena and Great Falls Chambers of Commerce

01:49:56 Julia Altemus, MWPA

01:50:47 Tom Hopgood, MMA

01:51:37 Jay Bodner, Montana Stockgrowers Association

01:52:05 Nicole Rolf, Regional Manager, Montana Farm Bureau Federation (MFBF)

Opponents' Testimony: None**Informational Testimony:**

01:52:47 Jerome Patton, Economist, Tax Policy and Research Division, Department of Revenue (DOR)

Questions from Committee Members and Responses:

01:52:59 Rep. Williams

01:53:17 Sen. Tutvedt

01:54:20 Rep. Coffin

01:55:33 Sen. Tutvedt

01:55:53 Rep. Coffin

01:56:51 Sen. Tutvedt

01:57:01 Rep. Pomnichowski

01:57:44 Sen. Tutvedt

01:57:47 Rep. Pomnichowski

01:58:21 Sen. Tutvedt

01:58:24 Rep. Pomnichowski

01:58:35 Mr. Patton, DOR

01:59:56 Rep. Williams

02:00:44 Sen. Tutvedt

02:01:42 Rep. Flynn
02:02:26 Sen. Tutvedt

Closing by Sponsor:

02:04:15 Sen. Tutvedt

02:06:24 Chair Miller
02:06:30 Stephanie Morrison, Fiscal Analyst, Legislative Fiscal Division (LFD)
02:07:13 Sen. Tutvedt
02:08:09 Stephanie Morrison, LFD

02:08:42 Recessed.
02:24:47 Reconvened with Rep. Schwaderer, Rep. Hansen and Rep. Knudsen were excused.

EXECUTIVE ACTION ON SB 231

02:24:57 **Motion/Vote:** Rep. Pomnichowski moved that **SB 231 BE CONCURRED IN.** Motion carried 15-5 by voice vote with Rep. Flynn, Rep. Knudsen, Rep. Lavin, Rep. Randall and Rep. Redfield voting no. Rep. Hansen, Rep. Knudsen and Rep. Schwaderer voted by proxy. Rep. Boss Ribs will carry the bill.

EXECUTIVE ACTION ON SB 280

02:28:12 **Motion:** Rep. Flynn moved that **SB 280 BE CONCURRED IN.**

02:28:19 **Motion/Vote:** Rep. Flynn moved that **SB 280 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Knudsen and Rep. Schwaderer voted by proxy.

EXHIBIT(tah76a07)

02:29:32 **Motion/Vote:** Rep. Flynn moved that **SB 280 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Rep. Hansen, Rep. Knudsen and Rep. Schwaderer voted by proxy. Rep. Knudsen will carry the bill.

ADJOURNMENT

Adjournment: 02:30:48

Rebecca Shaw, Secretary

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Additional Documents:

EXHIBIT([tah76aad.pdf](#))