

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Bruce Tutvedt, on February 15, 2013 at 9:00 AM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Bruce Tutvedt, Chair (R)
Sen. Fred Thomas, Vice Chair (R)
Sen. Ron Arthun (R)
Sen. Dick Barrett (D)
Sen. Greg Jergeson (D)
Sen. Christine Kaufmann (D)
Sen. Sue Malek (D)
Sen. Jim Peterson (R)
Sen. Mike Phillips (D)

Members Excused: Sen. Jeff Essmann (R)
Sen. Janna Taylor (R)
Sen. Art Wittich (R)

Members Absent: None

Staff Present: Jaret Coles, Legislative Branch
Charlene Rich, 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:

Executive Action: SB 34, Do Pass as Amended
SB 239, Do Pass as Amended
SB 240, Do Pass As Amended

EXECUTIVE ACTION ON SB 34

00:22:08 **Motion:** Sen. Kaufmann moved that **SB 34 DO PASS.**

00:22:52 **Motion/Vote:** Sen. Kaufmann moved that **SB 34 BE AMENDED.** Motion carried 9-0 by voice vote. Sen. Essmann, Sen. Taylor and Sen. Wittich were excused.
EXHIBIT(tas34a01)

00:24:08 **Motion/Vote:** Sen. Kaufmann moved that **SB 34 BE AMENDED.** Motion carried 9-0 by voice vote. Sen. Essmann, Sen. Taylor and Sen. Wittich were excused.
EXHIBIT(tas34a02)

00:25:26 **Motion/Vote:** Sen. Kaufmann moved that **SB 4 DO PASS AS AMENDED.** Motion carried 9-0 by voice vote. Sen. Essmann, Sen. Taylor and Sen. Wittich were excused.

EXECUTIVE ACTION ON SB 239

00:27:51 **Motion:** Sen. Thomas moved that **SB 239 DO PASS.**

Discussion:

00:28:31 Chairman Tutvedt

00:29:21 Jaret Coles, Legislative Services Division (LSD)

00:33:19 **Motion:** Sen. Thomas moved that **SB 239 BE AMENDED.**
EXHIBIT(tas34a03)

Discussion:

00:33:48 Sen. Barrett

00:34:19 Alan Peura, Montana Department of Revenue (DOR)

00:38:42 Harold Blattie, Montana Association of Counties (MACo)

EXHIBIT(tas34a04)

00:49:47 Jaret Coles, Legislative Service Division (LSD)

00:52:20 **Motion:** Sen. Jergeson moved a conceptual amendment that on page 5, of the amendment, striking subsection 2 and replacing the language. Also, on page 9 of the amendment, in subsection 3 replacing the language after "7-15-4291".

Discussion:

00:54:03 Sen. Kaufmann

00:54:28 Mike Kadas, Montana Department of Revenue (DOR)

00:55:30 **Vote:** Motion carried 9-0 by voice vote. Sen. Essmann, Sen. Taylor and Sen. Wittich were excused.

00:55:48 **Motion:** Sen. Thomas moved that **SB 239 DO PASS AS AMENDED.**

Discussion:

00:55:55 Sen. Kaufmann

00:56:36 Sen. Thomas

00:57:08 Sen. Barrett

00:57:54 Sen. Malek

00:58:20 **Vote:** Motion carried unanimously by voice vote. Sen. Essmann, Sen. Taylor and Sen. Wittich were excused.

00:58:58 **Motion:** Sen. Thomas moved that **SB 239 BE AMENDED.**

EXHIBIT(tas34a05)

Discussion:

01:00:10 Sen. Phillips

01:00:47 Jaret Coles

01:01:16 Sen. Kaufmann

01:02:21 Sen. Barrett

01:03:56 Sen. Jergeson

01:05:45 Harold Blattie, MACo

01:07:12 Sen. Thomas

01:08:51 Sen. Buttrey

01:09:55 Sen. Thomas

01:10:31 Sen. Edward Buttrey (R), SD 13, Great Falls

01:10:48 Sen. Thomas

01:10:56 Sen. Buttrey

01:11:17 Sen. Barrett

01:11:59 Sen. Phillips

01:12:14 Mike Kadas, DOR

01:14:11 Sen. Thomas

01:14:18 Mike Kadas

01:14:52 Sen. Malek

01:15:29 Sen. Kaufmann

01:17:01 Sen. Peterson

01:22:29 Sen. Thomas

01:23:10 Chairman Tutvedt

01:25:19 Harold Blattie

01:26:03 Sen. Malek

01:28:43 Sen. Thomas

01:29:37 **Vote:** Motion failed 4-7 by roll call vote with Sen. Essmann, Sen. Thomas, Sen. Tutvedt and Sen. Wittich voting aye. Sen. Essmann and Sen. Wittich voted by proxy. Sen. Taylor was excused.

01:32:00 Sen. Taylor entered the hearing.

01:32:46 **Motion/Vote:** Sen. Jergeson moved that **SB 239 DO PASS AS AMENDED**. Motion carried 11-1 by voice vote with Sen. Wittich voting no. Sen. Wittich and Sen. Essmann voted by proxy.

EXECUTIVE ACTION ON SB 240

01:34:07 **Motion:** Sen. Thomas moved that **SB 240 DO PASS**.
[EXHIBIT\(tas34a06\)](#)

Discussion:

01:35:48 Chairman Tutvedt

01:36:09 Jaret Coles

01:36:49 Sen. Peterson

01:37:12 Chairman Tutvedt

01:38:06 **Motion:** Sen. Thomas moved that **SB 240 BE AMENDED**.
[EXHIBIT\(tas34a07\)](#)

Discussion:

01:38:27 Jaret Coles

01:39:13 Chairman Tutvedt

01:39:24 Sen. Peterson

01:39:36 Jaret Coles

01:39:53 Sen. Peterson

01:40:24 Sen. Taylor

01:41:03 Sen. Thomas

01:41:30 **Vote:** Motion failed 2-10 by roll call vote with Sen. Essmann and Sen. Wittich voting aye. Sen. Essmann and Sen. Wittich voted by proxy.

Discussion:

01:43:50 Sen. Barrett

01:44:57 Chairman Tutvedt

01:45:13 Sen. Barrett

01:45:59 Jaret Coles

01:46:54 Chairman Tutvedt

01:47:21 Sen. Barrett

01:48:01 Sen. Jergeson

01:51:15 Gene Welborn, Montana Department of Revenue (DOR)

01:52:00 Sen. Arthun

01:52:27 Gene Welborn

01:53:37 Chairman Tutvedt

01:54:09 Gene Welborn

01:54:36 Sen. Malek

01:55:45 **Vote:** Motion carried 8-4 by roll call vote with Sen. Barrett, Sen. Kaufmann, Sen. Malek and Sen. Wittich voting no. Sen. Essmann and Sen. Wittich voted by proxy.

Discussion on SB 228

01:57:00 Sen. Peterson left the hearing
01:58:40 Sen. Barrett
01:58:59 Sen. Kaufmann
02:00:34 Chairman Tutvedt
02:00:54 Jaret Coles
02:03:47 Chairman Tutvedt

EXHIBIT(tas34a08)

EXECUTIVE ACTION ON COMMITTEE BILL

Discussion:

02:05:09 Amy Carlson, Legislative Fiscal Division (LFD)
02:06:16 Sen. Jergeson
02:08:52 Chairman Tutvedt
02:09:15 Sen. Phillips

02:09:45 **Motion:** Sen. Phillips moved to authorize the drafting of a committee bill explaining the process for generating a revenue estimate.

Discussion:

02:11:59 Sen. Phillips
02:12:21 Sen. Thomas
02:12:51 Sen. Phillips
02:13:42 Sen. Jergeson
02:15:43 Chairman Tutvedt
02:16:18 Sen. Barrett
02:16:42 Sen. Phillips

02:17:10 **Vote:** Motion carried unanimously by voice vote of those present and voting.

Discussion:

02:19:55 Sen. Barrett
02:20:47 Sen. Phillips
02:23:02 Sen. Jergeson
02:25:07 Sen. Thomas
02:27:00 Sen. Phillips

ADJOURNMENT

Adjournment: 10:50 am

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Charlene Rich, Secretary

Additional Documents:

EXHIBIT([tas34aad.pdf](#))