

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Bruce Tutvedt, on April 10, 2013 at 8:00 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)
Sen. Janna Taylor (R)

Members Excused: Sen. Jeff Essmann (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:

Hearing & Date Posted: HB 472, 4/3/2013; HB 408, 4/3/2013; HB 593, 4/3/2013

Executive Action: SB 27, DO PASS AS AMENDED

HEARING ON HB 408**Opening Statement by Sponsor:**

00:19:36 Rep. Mike Miller (R), HD 84, opened the hearing on HB 408, Revise tax rate laws on mandated pollution control equipment.

Proponents' Testimony:

00:21:52 Nancy Schlepp, Montana Tax Payers Association (MTPA)

[EXHIBIT\(tas75a01\)](#)

00:23:47 Tom Ebzery, Puget Sound Energy, Avista Energy

00:24:05 Sen. Kaufmann left the hearing.

00:26:32 Ron Devlin, NorthWestern Energy (NWE)

00:27:29 Dave Galt, Montana Petroleum Association (MPA)

00:28:24 Margaret Morgan, Holcim Trident Cement Plant

00:29:22 Glenn Oppel, Montana Chamber of Commerce (MCC)

00:29:37 Tom Hopgood, Montana Mining Association (MMA)

00:30:03 Mark Baker, Plum Creek Timber Company

00:31:02 Mark Lambercht, Treasure State Resource Industry Association (TSRIA)

00:31:25 Aimee Grmoljez, Ash Grove Cement Company (AGC)

[EXHIBIT\(tas75a02\)](#)

Opponents' Testimony: None

Informational Testimony:

00:32:58 Gene Walborn, Department of Revenue (DOR)

00:33:12 David Klemp, Department of Environmental Quality (DEQ)

00:33:29 Steve Cleverdon, Department of Revenue (DOR)

Questions from Committee Members and Responses:

00:37:23 Sen. Barrett

00:37:29 Aimee Grmoljez,AGC

00:37:49 Sen. Barrett

00:38:45 Sen. Jergeson

00:39:30 Rep. Miller

00:40:06 Sen. Jergeson

00:40:50 Rep. Miller

00:41:05 Sen. Arthun

00:41:14 Steve Cleverdon, DOR

00:42:38 Sen. Malek

00:45:15 David Klemp, DEQ

00:45:21 Sen. Malek

00:45:31 Gene Walborn, DOR

00:45:58 Sen. Barrett

00:49:32 Steve Cleverdon

00:49:53 Chairman Tutvedt

00:53:49 Gene Walborn
00:54:30 Sen. Peterson
00:55:02 Gene Walborn
00:56:04 Sen. Peterson
00:57:04 David Klemp
00:59:09 Sen. Thomas
01:02:24 Steve Cleverdon
01:03:48 Sen. Barrett
01:04:36 Steve Cleverdon

Closing by Sponsor:

01:05:07 Rep. Miller

HEARING ON HB 472

Opening Statement by Sponsor:

01:08:06 Rep. Gerald (Jerry) Bennett (R), HD 1, opened the hearing on HB 472, Reduce business equipment taxes by increasing the exemption.

Proponents' Testimony:

01:10:28 Glenn Oppel, Montana Chamber of Commerce (MCC)
01:13:22 Bruce MacIntyre, Billings Chamber of Commerce
01:14:37 Nancy Schlepp, Montana Taxpayers Association (MTA)
01:15:01 Spook Stang, Motor Carriers of Montana (MCM)
01:15:57 Dustin Stewart, Montana Building Industry Association (MBIA)
01:16:55 Nicole Rolf, Montana Farm Bureau Federation (MFBF)
01:18:33 Sen. Thomas left the hearing.
01:20:13 Riley Johnson, National Federation of Independent Business (NFIB)
01:21:26 Ronda Wiggers, Great Falls Area Chamber of Commerce

EXHIBIT(tas75a03)

01:24:00 Jessie Luther, Montana Contractors Association (MCA)
01:24:20 Mike Murphy, Montana Water Resources Association (MWRA)
01:25:01 Ariel Overstreet, Montana Stockgrowers Association and Montana Cattlewomen (MSGA, MCW)
01:25:56 Margaret Morgan, Women Involved in Farm Economics (WIFE)
01:26:17 Tom Hopgood, Montana Mining Association (MMA)

Opponents' Testimony: None

Informational Testimony:

01:27:31 Jerome Patton, Department of Revenue (DOR)
01:27:40 Jim Standaert, Legislative Fiscal Division (LFD)

Questions from Committee Members and Responses:

01:28:12 Sen. Peterson
01:30:56 Jim Standaert, LFD
01:31:33 Sen. Jergeson
01:33:53 Rep. Bennett
01:34:04 Chairman Tutvedt
01:35:51 Tom Hopgood, MMA
01:36:03 Chairman Tutvedt
01:36:43 Jerome Patton, DOR
01:37:09 Sen. Barrett
01:40:48 Glenn Oppel, MCC
01:41:27 Sen. Jergeson
01:42:34 Jerome Patton

Closing by Sponsor:

01:43:17 Rep. Bennett
01:45:49 Brief Recess
01:55:00 Hearing Reconvened

HEARING ON HB 593**Opening Statement by Sponsor:**

01:55:46 Rep. Kirk Wagoner (R), HD 77, opened the hearing on HB 593, Revise DOR laws for calculating soil type and productivity values on range land.
01:57:52 Sen. Kaufmann entered the hearing.

Proponents' Testimony:

02:00:40 John Anderson, Ruby Dell Ranch
02:07:16 Ron Devlin, self (rancher Eastern Montana)
02:10:36 Ariel Overstreet, Montana Stockgrower Association (MSGA)
02:11:29 Nicole Rolf, Montana Farm Bureau Federation (MFBBF)
02:12:07 Clayton Elliott, Northern Plains Resource Council (NPRC)

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

02:13:20 Frank McCall, Department of Revenue (DOR)

Questions from Committee Members and Responses:

02:13:43 Sen. Jergeson
02:16:07 Ron Devlin, self
02:16:59 Sen. Thomas entered the hearing.

02:18:23 Sen. Barrett
02:22:39 Rep. Wagoner
02:23:27 Sen. Kaufmann
02:26:57 Frank McCall, DOR
02:27:31 Sen. Kaufmann
02:27:37 Rep. Wagoner
02:29:00 Sen. Phillips
02:31:46 Frank McCall
02:31:53 Chairman Tutvedt
02:32:02 Sen. Phillips
02:32:19 Frank McCall
02:32:50 Sen. Peterson
02:36:59 Ron Devlin
02:37:07 Sen. Jergeson
02:40:19 Frank McCall
02:40:58 Chairman Tutvedt
02:43:12 Frank McCall
02:44:53 Sen. Barrett

Closing by Sponsor:

02:45:38 Rep. Wagoner

Discussion on SJ 27:

02:48:43 Amy Carlson, Legislative Fiscal Division (LFD)

[EXHIBIT\(tas75a04\)](#)

02:52:53 Sen. Malek
02:55:09 Sen. Barrett
02:55:55 Sen. Peterson
02:56:34 Sen. Taylor
02:57:30 Sen. Jergeson
02:58:17 Amy Carlson, LFD
02:58:36 Sen. Thomas
02:59:54 Sen. Arthun
03:00:12 Amy Carlson
03:02:48 Sen. Peterson
03:03:14 Sen. Thomas left the hearing.
03:04:25 Amy Carlson
03:05:10 Chairman Tutvedt
03:05:57 Sen. Jergeson
03:06:59 Amy Carlson
03:08:30 Sen. Barrett
03:09:12 Amy Carlson
03:12:34 Sen. Malek
03:13:47 Sen. Jergeson
03:15:17 Chairman Tutvedt
03:15:30 Sen. Peterson
03:16:03 Sen. Barrett

03:17:11 Sen. Malek
03:17:47 Sen. Kaufmann
03:18:48 Chairman Tutvedt

EXECUTIVE ACTION ON SJ 27

03:19:26 **Motion:** Sen. Dick Barrett moved that **SJ 27 DO PASS.**

03:19:57 **Motion:** Sen. Tutvedt moved that **SJ 27 BE AMENDED.**
EXHIBIT(tas75a05)

03:20:20 **Vote:** Motion carried 9-0 by voice vote. Sen. Essmann, Sen. Thomas and Sen. Wittich were excused.

03:21:38 **Motion:** Sen. Dick Barrett moved that **SB 27 BE AMENDED.**

EXHIBIT(tas75a06)

EXHIBIT(tas75a07)

EXHIBIT(tas75a08)

Discussion:

03:23:26 Sen. Barrett
EXHIBIT(tas75a09)

03:29:36 Chairman Tutvedt
03:29:56 Sen. Barrett
03:31:28 Sen. Jergeson
03:34:36 Sen. Phillips
03:35:26 Sen. Arthun
03:35:41 Sen. Peterson
03:37:04 Sen. Barrett
03:37:51 Sen. Arthun
03:37:56 Sen Peterson
03:38:21 Chairman Tutvedt

03:39:00 **Vote:** Motion failed 4-8 by roll call vote with Sen. Barrett, Sen. Kaufmann, Sen. Malek and Sen. Phillips voting aye. Sen. Essmann, Sen. Thomas and Sen. Wittich voted by proxy.

03:40:58 **Motion:** Sen. Dick Barrett moved that **SB 27 DO PASS AS AMENDED.**

Discussion:

03:41:16 Sen. Taylor
03:42:18 Sen. Peterson
03:43:04 Sen. Barrett
03:44:02 Chairman Tutvedt

03:45:00

Vote: Motion carried 9-3 by roll call vote with Sen. Essmann, Sen. Taylor and Sen. Wittich voting no. Sen. Essmann, Sen. Thomas and Sen. Wittich voted by proxy.

ADJOURNMENT

Adjournment: 11:30 am.

Charlene Rich, Secretary

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Additional Documents:

EXHIBIT([tas75aad.pdf](#))