

## MINUTES

### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON TAXATION

**Call to Order:** Chair Bruce Tutvedt, on April 11, 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 393, 4/5/2013  
HB 581, 4/10/2013  
HB 635, 4/10/2013  
SR 63, 4/10/2013

**Executive Action:** HB 593, Be Concurred In  
HB 408, Amended Only

**HEARING ON HB 635****Opening Statement by Sponsor:**

00:02:11 Rep. Ray Shaw (R), HD 71, opened the hearing on HB 635, Revise education laws related to transfers of territory between districts.

**Proponents' Testimony:**

00:04:43 Harold Blattie, Montana Association of Counties (MACo)

**Opponents' Testimony:**

00:07:33 Kirk Miller, School Administrators of Montana (SAM)

00:10:01 Bob Vogel, Montana School Boards Association (MTSBA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:12:09 Sen. Barrett  
00:13:00 Harold Blattie, MACo  
00:13:43 Sen. Thomas  
00:14:04 Rep. Shaw  
00:15:18 Sen. Thomas  
00:17:07 Kirk Miller, SAM  
00:17:26 Sen. Barrett  
00:18:00 Rep. Shaw  
00:18:21 Chairman Tutvedt  
00:18:29 Kirk Miller

**Closing by Sponsor:**

00:19:06 Rep. Shaw

**HEARING ON HB 393****Opening Statement by Sponsor:**

00:20:45 Rep. Brian Hoven (R), HD 24, opened the hearing on HB 393, Revise individual income tax for married taxpayers.

[EXHIBIT\(tas76a01\)](#)

**Proponents' Testimony:**

00:26:25 George Olsen, Montana Society of Certified Public Accountants (MSCPA)

**Opponents' Testimony:** None

**Informational Testimony:**

00:28:25 Brian Olsen, Department of Revenue

**Questions from Committee Members and Responses:**

00:28:49 Sen. Barrett  
00:29:34 Rep. Hoven  
00:29:45 Sen. Kaufmann  
00:30:19 Rep. Hoven  
00:31:00 Chairman Tutvedt  
00:31:18 Rep. Hoven  
00:31:36 Sen. Phillips  
00:32:13 Rep. Hoven

**Closing by Sponsor:**

00:32:28 Rep. Hoven

**HEARING ON HB 581****Opening Statement by Sponsor:**

00:33:06 Rep. Kris Hansen (R), HD 33, opened the hearing on HB 581, Revise income tax using a tie to federal taxable income and repealing credits.

00:33:31 Chairman Tutvedt left the hearing.  
00:43:37 Vice Chair Thomas left the hearing and Sen. Arthun assumed the responsibilities of the chair.  
00:45:57 Vice Chair Thomas returned to the hearing and resumed the responsibilities of the chair.

**Proponents' Testimony:**

00:52:01 George Olsen, Montana Society of Certified Public Accountants (MSCPA)  
00:57:29 Sen. Barrett  
00:58:42 George Olsen, MSCPA  
00:59:55 Holly Franz, representing the Montana Taxpayers Association (MTA)

**Opponents' Testimony:**

01:01:02 Leo Berry, Association of Montana Retired Public Employees (AMRPE)  
01:03:31 Claudia Clifford, American Association of Retired People (AARP)  
01:05:56 Matt Elsaesser, Recycle Montana  
01:07:12 Stacey Anderson, Planned Parenthood of Montana (PPM)  
01:09:12 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

**Informational Testimony**

01:14:28 Dan Dodds, Department of Revenue (DOR)

**Questions from Committee Members and Responses:**

01:15:41 Sen. Barrett  
01:17:31 Rep. Hansen  
01:19:54 Dan Dodds, DOR  
01:20:04 Sen. Arthun  
01:21:15 Rep. Hansen  
01:24:15 Sen. Arthun  
01:24:43 Dan Dodds  
01:25:31 Sen. Kaufmann  
01:25:52 Rep. Hansen  
01:26:50 Sen. Kaufmann  
01:27:12 Rep. Hansen  
01:27:39 Sen. Malek  
01:28:27 Dan Dodds  
01:30:01 Kelsen Young, MCADSV  
01:32:59 Sen. Malek  
01:33:35 Kelsen Young  
01:34:08 Sen. Phillips  
01:35:26 Rep. Hansen  
01:36:29 Sen. Phillips  
01:37:27 Rep. Hansen  
01:38:45 Sen. Malek  
01:39:12 Stacey Anderson, PPM  
01:39:32 Sen. Barrett  
01:40:28 Rep. Hansen  
01:42:34 Sen. Barrett  
01:42:51 Dan Dodds  
01:43:54 Sen. Jergeson  
01:49:13 Rep. Hansen  
01:49:39 Sen. Thomas  
01:53:39 Dan Dodds

**Closing by Sponsor:**

01:54:05 Rep. Hansen

02:00:23 Brief Recess

02:08:20 Reconvened

**HEARING ON SR 63****Opening Statement by Sponsor:**

02:08:29 Sen. Matthew Rosendale (R), SD 19, opened the hearing on SR 63, Resolution urging Congress to submit to states a balanced budget amendment.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:12:50 Sen. Jergeson  
02:13:52 Sen. Rosendale  
02:14:13 Sen. Thomas  
02:14:25 Sen. Barrett  
02:18:20 Sen. Rosendale  
02:19:02 Sen. Phillips  
02:20:33 Sen. Rosendale  
02:20:49 Sen. Malek  
02:27:45 Sen. Rosendale  
02:28:52 Sen. Arthun  
02:29:38 Sen. Rosendale  
02:30:52 Sen. Barrett  
02:34:11 Sen. Rosendale

**Closing by Sponsor:**

02:34:46 Sen. Rosendale

**EXECUTIVE ACTION ON HB 593**

02:35:58 **Motion:** Sen. Kaufmann moved that **HB 593 BE CONCURRED IN.**

02:36:35 **Motion:** Sen. Kaufmann moved that **HB 593 BE AMENDED.**  
**EXHIBIT(tas76a02)**

**Discussion:**

02:38:26 Sen. Peterson  
02:38:42 Sen. Kaufmann  
02:39:43 Sen. Thomas  
02:39:53 Sen. Kaufmann

02:40:00 **Vote:** Motion carried 9-0 by voice vote. Sen. Essmann, Sen. Tutvedt and Sen. Wittich were excused.

02:41:19 **Motion:** Sen. Peterson moved that **HB 593 BE CONCURRED IN AS AMENDED.**

**Discussion:**

02:42:06 Sen. Peterson  
02:45:10 Sen. Taylor  
02:47:04 Sen. Barrett  
02:50:09 Sen. Thomas  
02:52:04 Sen. Peterson  
02:54:01 Sen. Barrett  
02:54:57 Sen. Jergeson  
02:58:27 Sen. Barrett

03:00:03 Chairman Tutvedt entered hearing.

02:59:39 **Vote:** Motion carried 8-2 by voice vote with Sen. Barrett and Sen. Kaufmann voting no. Sen. Essmann and Sen. Wittich were excused. Sen. Peterson will carry the bill.

**EXECUTIVE ACTION ON HB 408**

03:01:57 **Motion:** Sen. Thomas moved that **HB 408 BE CONCURRED IN.**

03:02:06 **Motion:** Sen. Thomas moved that **HB 408 BE AMENDED.**  
[EXHIBIT\(tas76a03\)](#)

**Discussion:**

03:02:30 Jaret Coles, Legislative Services Division (LSD)  
03:03:09 Sen. Thomas

03:03:27 **Vote:** Motion carried 10-0 by voice vote. Sen. Essmann and Sen. Wittich were excused.

03:03:47 Without objection from the committee, Chairman Tutvedt moved to **POSTPONE FURTHER ACTION ON HB 408.**

**Committee Business:**

03:05:42 Sen. Barrett  
03:07:25 Chairman Tutvedt  
03:08:04 Sen. Barrett

**ADJOURNMENT**

Adjournment: 11:09

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Charlene Rich, Secretary

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Additional Documents:

**EXHIBIT([tas76aad.pdf](#))**