

Montana State Legislature

2015 SESSION

ADDITIONAL DOCUMENTS

Business Page

[Signed by Chairman]

Roll Call

Standing Committee Reports

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Fiscal Reports

Rolls Call Votes

Proxy Forms

Visitor Registrations

***Any other documents, which were submitted after the committee hearing has ended and/or was submitted late [within 48 hours], regarding information in the committee hearing.**

***Witness Statements that were not presented as exhibits.**

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2015 Legislative

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BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
64th LEGISLATURE - REGULAR SESSION**

HOUSE TAXATION COMMITTEE

Date: Friday, February 13, 2015
Place: Capitol

Time: 9:00 A.M.
Room: 152

BILLS and RESOLUTIONS HEARD: None

EXECUTIVE ACTION TAKEN:

HB 156	Do pass as amended
HB 228	Do pass
HB 276	Tabled
HB 310	Do pass
HB 359	Do pass
HB 361	Tabled
HB 368	Tabled

Comments: None



REP. Mike Miller, Chair



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

TAXATION COMMITTEE

ROLL CALL

DATE: 2/13/15

NAME	PRESENT	ABSENT/EXCUSED
REP. KATHLEEN WILLIAMS, VICE CHAIR	✓	
REP. KELLY FLYNN	✓	
REP. ALBERT OLSZEWSKI	✓	
REP. TOM JACOBSON	✓	
REP. STEVE LAVIN	✓	
REP. NANCY WILSON	✓	
REP. KERRY WHITE		✓
REP. EDIE MCCLAFFERTY	✓	
REP. ALAN REDFIELD	✓	
REP. MARY ANN DUNWELL	✓	
REP. DANIEL ZOLNIKOV	✓	
REP. BRIDGET SMITH		✓
REP. NICHOLAS SCHWADERER	✓	
REP. ZACH BROWN	✓	
REP. GERALDINE CUSTER	✓	
REP. ED LIESER	✓	
REP. LEE RANDALL	✓	
REP. ROB COOK		✓
REP. GREG HERTZ, VICE CHAIRMAN	✓	
REP. MIKE MILLER, CHAIRMAN	✓	

20 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

TAXATION COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB156

DATE 2/13/15

MOTION HB156 be amended
HB015601

NAME	AYE	NO	PROXY
REP. GREG HERTZ, VICE CHAIRMAN	✓		
REP. KATHLEEN WILLIAMS, VICE CHAIR		✓	
REP. KELLY FLYNN	✓		
REP. ALBERT OLSZEWSKI	✓		
REP. TOM JACOBSON		✓	
REP. STEVE LAVIN	✓		
REP. NANCY WILSON		✓	
REP. KERRY WHITE	✓		✓
REP. EDIE MCCLAFFERTY		✓	
REP. ALAN REDFIELD	✓		
REP. MARY ANN DUNWELL		✓	
REP. DANIEL ZOLNIKOV	✓		
REP. BRIDGET SMITH		✓	✓
REP. NICHOLAS SCHWADERER	✓		
REP. ZACH BROWN		✓	
REP. GERALDINE CUSTER	✓		
REP. ED LIESER		✓	
REP. LEE RANDALL	✓		
REP. ROB COOK	✓		
REP. MIKE MILLER, CHAIRMAN	✓		

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20 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

TAXATION COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB 154

DATE 2/13/15

MOTION HBO15402. Amm Do pass

NAME	AYE	NO	PROXY
REP. GREG HERTZ, VICE CHAIRMAN	✓		
REP. KATHLEEN WILLIAMS, VICE CHAIR		✓	
REP. KELLY FLYNN	✓		
REP. ALBERT OLSZEWSKI	✓		
REP. TOM JACOBSON		✓	
REP. STEVE LAVIN	✓		
REP. NANCY WILSON		✓	
REP. KERRY WHITE	✓		✓
REP. EDIE MCCLAFFERTY		✓	
REP. ALAN REDFIELD	✓		
REP. MARY ANN DUNWELL		✓	
REP. DANIEL ZOLNIKOV	✓		
REP. BRIDGET SMITH		✓	✓
REP. NICHOLAS SCHWADERER	✓		
REP. ZACH BROWN		✓	
REP. GERALDINE CUSTER	✓		
REP. ED LIESER		✓	
REP. LEE RANDALL	✓		
REP. ROB COOK		✓	
REP. MIKE MILLER, CHAIRMAN	✓		

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20 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

TAXATION COMMITTEE

ROLL CALL VOTE

BILL NUMBER ^{HB} 156

DATE 2/13/15

MOTION Do pass as (three time) Amended

NAME	AYE	NO	PROXY
REP. GREG HERTZ, VICE CHAIRMAN	✓		
REP. KATHLEEN WILLIAMS, VICE CHAIR		✓	
REP. KELLY FLYNN	✓		
REP. ALBERT OLSZEWSKI	✓		
REP. TOM JACOBSON	✓		
REP. STEVE LAVIN	✓		
REP. NANCY WILSON		✓	
REP. KERRY WHITE	✓		✓
REP. EDIE MCCLAFFERTY	✓		
REP. ALAN REDFIELD	✓		
REP. MARY ANN DUNWELL		✓	
REP. DANIEL ZOLNIKOV	✓		
REP. BRIDGET SMITH	✓		✓
REP. NICHOLAS SCHWADERER	✓		
REP. ZACH BROWN	✓		
REP. GERALDINE CUSTER	✓		
REP. ED LIESER		✓	
REP. LEE RANDALL	✓		
REP. ROB COOK	✓		
REP. MIKE MILLER, CHAIRMAN	✓		

16 4

20 MEMBERS



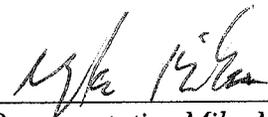
HOUSE STANDING COMMITTEE REPORT

February 13, 2015

Page 1 of 4

Mr. Speaker:

We, your committee on **Taxation** recommend that **House Bill 156** (first reading copy -- white) **do pass as amended.**

Signed: 
Representative Mike Miller, Chair

And, that such amendments read:

1. Title, page 1, line 5.

Following: "CARBON"

Insert: "CAPTURE, TRANSPORTATION, AND"

Following: "TAXES;"

Insert: "PROVIDING FOR THE CERTIFICATION OF EXEMPT CARBON SEQUESTRATION EQUIPMENT; PROVIDING RULEMAKING AUTHORITY;"

2. Page 1, line 7.

Following: line 7

Insert: "WHEREAS, Montana industries are required to install certain air and water pollution control equipment to comply with state and federal standards as a result of recent regulatory action, including but not limited to:

- (1) the Clean Air Mercury Rule;
- (2) the Revised Ozone National Ambient Air Quality Standards Regional Haze Rule;
- (3) the Clean Air Interstate Rule;
- (4) the Nitrogen Oxide Primary National Ambient Air Quality Standards;
- (5) the Sulfur Dioxide Primary National Ambient Air Quality Standards;
- (6) Coal Combustion Byproducts Management;
- (7) the Cooling Water Intakes 316(b) Rule;
- (8) the Hazardous Air Pollutants Maximum Achievable Control Technology Rule;
- (9) the Particulate Matter 2.5 National Ambient Air Quality Standards;

Committee Vote:

Yes 16, No 4

Fiscal Note Required X

Handwritten:
2/13/15
12:30

- (10) the Effluent Guidelines for Coal-Fired Electrical Generating Units;
- (11) the Sulfur Dioxide/Nitrogen Oxide Secondary National Ambient Air Quality Standards;
- (12) the Particulate Matter 2.5 National Ambient Air Quality Standards Designations;
- (13) the Resource Conservation and Recovery Act standards for management of coal combustion residuals;
- (14) the Maximum Achievable Control Technology Standards for industrial boilers;
- (15) the New Source Performance Standards and Emission Guidelines for Large Municipal Waste Combustors;
- (16) the Standards of Performance for Grain Elevators National Emission Standards for Hazardous Air Pollutants: Primary Aluminum Reduction Plants;
- (17) the Ozone National Ambient Air Quality Standards Revision Final Coal Combustion Byproducts Rule;
- (18) the Clean Air Interstate Replacement Rule;
- (19) the Stationary Compression Ignition Engine New Source Performance Standards;
- (20) the Clean Power Rule;
- (21) the Cooling Water Intakes 316(b) Compliance;
- (22) the Numeric Nutrient Criteria;
- (23) the Hazardous Air Pollutants Maximum Achievable Control Technology Compliance;
- (24) Clean Air Interstate Rule Phase II for Sulfur Dioxide and Nitrogen Oxide;
- (25) the National Emission Standards for Hazardous Air Pollutants for the Portland Cement Manufacturing Industry Renewable Fuels Standards;
- (26) the Tier 3 Vehicle Emission and Fuel Standards;
- (27) the Ozone National Ambient Air Quality Standards to 65 Parts Per Billion;
- (28) the planned Environmental Protection Agency regulation of methane emissions for oil and natural gas industry;
- (29) Total Maximum Daily Loads; and
- (30) National Pollutant Discharge Elimination System, including stormwater discharge.

WHEREAS, compliance with these regulations requires investments of hundreds of millions of dollars and ultimately impacts consumers; and

WHEREAS, technologies to comply with these regulations are often unproven or not commercially or economically available; and

WHEREAS, many of these regulations address important protections for public health, yet others, such as the Regional Haze Rule, address issues such as visibility; and

WHEREAS, many of these regulations require installation of pollution control technologies that decrease the efficiency of existing equipment at industrial facilities; and

WHEREAS, reduced tax rates for pollution control equipment will improve public health by providing an incentive for early

compliance when possible and ultimately making regulatory compliance more affordable; and

WHEREAS, the Legislature of the State of Montana finds that it is appropriate to exempt certain air and water pollution control equipment and carbon sequestration equipment from property taxes."

3. Page 3, line 12.

Strike: "December 31"

Insert: "January 1"

4. Page 4, line 4.

Following: "for carbon"

Insert: "capture, transportation, and"

5. Page 4, line 26.

Strike: "December 31"

Insert: "January 1"

6. Page 4, line 27.

Following: "taxation"

Insert: "if certified as provided in subsection (5).

(5) (a) Requests for certification must be made on forms available from the department of revenue. Certification may not be granted unless the applicant is in substantial compliance with all applicable rules, laws, orders, or permit conditions. Certification remains in effect only as long as substantial compliance continues.

(b) The department of environmental quality shall promulgate rules specifying procedures, including timeframes for certification application, and definitions necessary to identify carbon sequestration equipment for certification and compliance. The department of revenue shall promulgate rules pertaining to the valuation of carbon sequestration equipment. The department of environmental quality shall identify and track compliance in the use of carbon sequestration equipment and report continuous acts or patterns of noncompliance at a facility to the department of revenue. Casual or isolated incidents of noncompliance at a facility do not affect certification.

(c) A person may appeal the certification, classification, and valuation of the property to the state tax appeal board. Appeals on the property certification must name the department of environmental quality as the respondent, and appeals on the classification or valuation of the equipment must name the department of revenue as the respondent"

7. Page 5, line 25.

Strike: "December 31"

Insert: "January 1"

8. Page 5, line 27.
Strike: "December 31"
Insert: "January 1"

9. Page 6, line 25.
Following: "service"
Insert: "on or"
Strike: "2015"
Insert: "2014"

10. Page 7, line 25.
Strike: "December 31"
Insert: "January 1"

- END -



HOUSE STANDING COMMITTEE REPORT

February 13, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on **Taxation** recommend that **House Bill 228** (first reading copy -- white) **do pass.**

Signed: 
Representative Mike Miller, Chair

- END -

Committee Vote:

Yes 20, No 0

Fiscal Note Required X

HB0228001SC.hbb

*ML
2/13/15
12:30*



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

TAXATION COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB 276

DATE 2/13/15

MOTION Do Pass

NAME	AYE	NO	PROXY
REP. GREG HERTZ, VICE CHAIRMAN	✓		
REP. KATHLEEN WILLIAMS, VICE CHAIR		✓	
REP. KELLY FLYNN		✓	
REP. ALBERT OLSZEWSKI		✓	
REP. TOM JACOBSON		✓	
REP. STEVE LAVIN		✓	
REP. NANCY WILSON		✓	
REP. KERRY WHITE		✓	✓
REP. EDIE MCCLAFFERTY		✓	
REP. ALAN REDFIELD		✓	
REP. MARY ANN DUNWELL		✓	
REP. DANIEL ZOLNIKOV	✓		
REP. BRIDGET SMITH		✓	✓
REP. NICHOLAS SCHWADERER	✓		
REP. ZACH BROWN		✓	
REP. GERALDINE CUSTER	Ⓢ	✓	
REP. ED LIESER		✓	
REP. LEE RANDALL	✓		
REP. ROB COOK		✓	
REP. MIKE MILLER, CHAIRMAN		✓	

20 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

TAXATION COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB 310

DATE 2/13/15

MOTION Do Pass

NAME	AYE	NO	PROXY
REP. GREG HERTZ, VICE CHAIRMAN		✓	
REP. KATHLEEN WILLIAMS, VICE CHAIR	✓		
REP. KELLY FLYNN		✓	
REP. ALBERT OLSZEWSKI	✓		
REP. TOM JACOBSON	✓		
REP. STEVE LAVIN	✓		
REP. NANCY WILSON	✓		
REP. KERRY WHITE		✓	✓
REP. EDIE MCCLAFFERTY	✓		
REP. ALAN REDFIELD		✓	
REP. MARY ANN DUNWELL	✓		
REP. DANIEL ZOLNIKOV		✓	
REP. BRIDGET SMITH	✓		✓
REP. NICHOLAS SCHWADERER		✓	
REP. ZACH BROWN	✓		
REP. GERALDINE CUSTER	✓		
REP. ED LIESER	✓		
REP. LEE RANDALL		✓	
REP. ROB COOK		✓	
REP. MIKE MILLER, CHAIRMAN		✓	

11 9
20 MEMBERS



HOUSE STANDING COMMITTEE REPORT

February 13, 2015
Page 1 of 1

Mr. Speaker:

We, your committee on **Taxation** recommend that **House Bill 310** (first reading copy -- white) **do pass.**

Signed: 
Representative Mike Miller, Chair

- END -

Committee Vote:
Yes 11, No 9
Fiscal Note Required X

HB0310001SC.hbb

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2/13/15
12:30



HOUSE STANDING COMMITTEE REPORT

February 13, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on **Taxation** recommend that **House Bill 359** (first reading copy -- white) **do pass.**

Signed: _____

A handwritten signature in black ink, appearing to read "Mike Miller".

Representative Mike Miller, Chair

- END -

Committee Vote:

Yes 17, No 3

Fiscal Note Required

HB0359001SC.hbb

OK
2/13/15
12:30

BILL TABLED NOTICE

HOUSE TAXATION COMMITTEE

The HOUSE TAXATION COMMITTEE TABLED

HB 276 - Constitutional amendment prohibiting an income tax if there is a sales tax - Rep. Greg Hertz

HB 361 - Provide for income tax credit for residential property taxes paid - Rep. Greg Hertz

HB 368 - Sunset voter approved property tax levies after certain period of time - Rep. Greg Hertz

by motion, on **Friday, February 13, 2015** (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).



(For the Committee)



(For the Chief Clerk of the House)

2:10 , 2/13/15

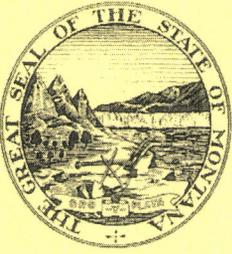
(Time)

(Date)

February 13, 2015 (11:44am)

Erica Siate, Secretary

Phone: 444-4264



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY

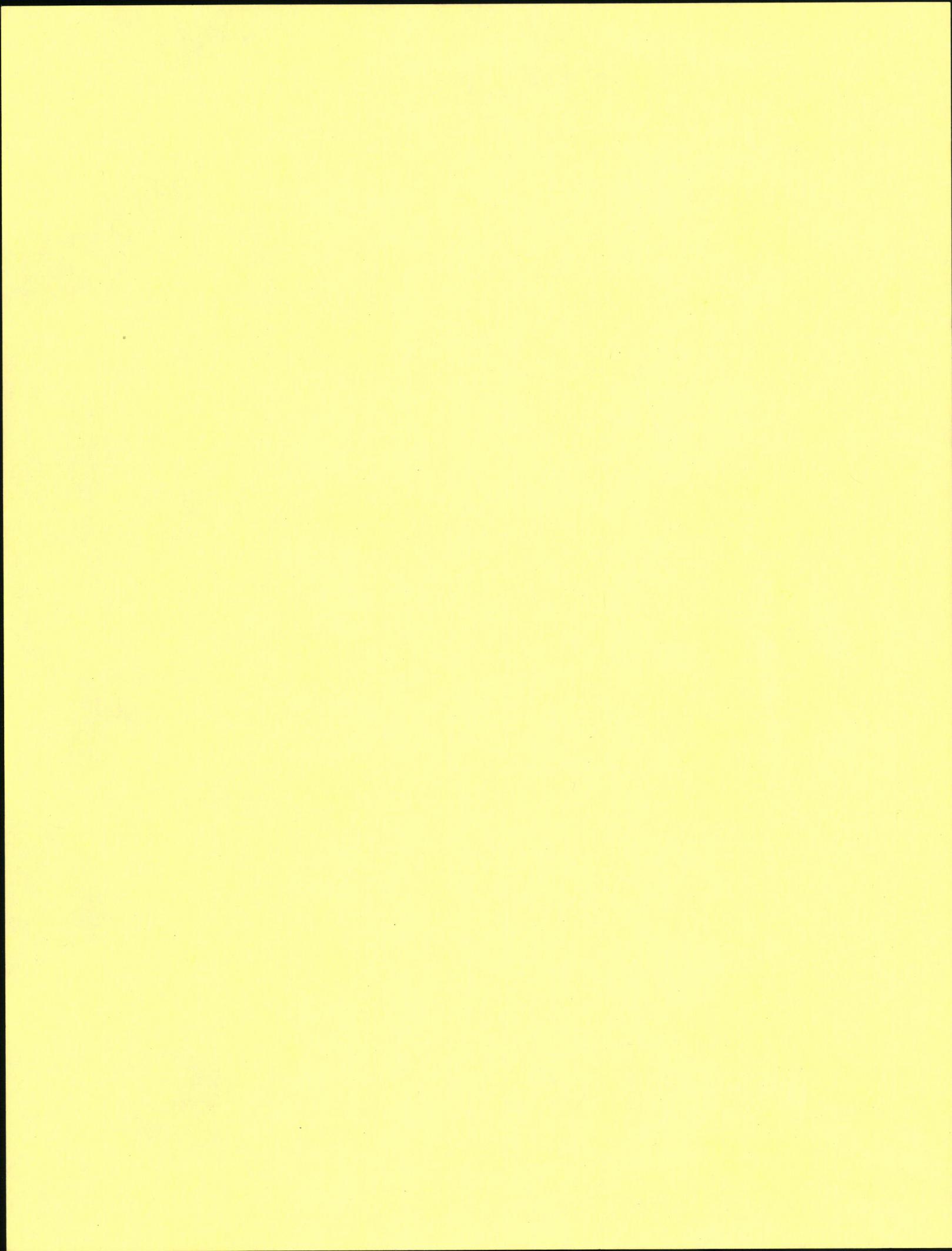
I request to be excused from the House Tax

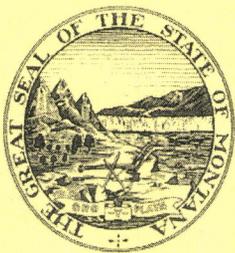
Committee because of other commitments, I desire to leave my proxy vote with:
Rep Hertz

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 156-as amended	Y		HB 156 HB015601	X	
HB 228	Y		HB 156 HB015602	X	
HB 276	N		HB 156 HB015603	X	
HB 310	N				
HB 359	Y				
HB 361-T	Y				
HB 368-T	Y				

Rep.  Date 2/13/15
(Signature) White





The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Taxation

Committee because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 015601. Amm		X			
HB 015602. Amm		X			
HB 015603. Amm	X	X			
HB 156	X				
HB 228	X				
HB 310	X				
HB 359		X			
HB 361 - table	X				
HB 368 - table	X				

Rep. Bridget Smith
(Signature)

Date 2/13/15

