

## MINUTES

### MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON TAXATION

**Call to Order:** Vice Chair Fred Thomas, on April 8, 2015 at 10:00 A.M., in Room 405 Capitol

#### ROLL CALL

**Members Present:**

Sen. Fred Thomas, Vice Chair (R)  
Sen. Duane Ankney (R)  
Sen. Dick Barrett (D)  
Sen. Taylor Brown (R)  
Sen. Jill Cohenour (D)  
Sen. Brian Hoven (R)  
Sen. Christine Kaufmann (D)  
Sen. Sue Malek (D)  
Sen. JP Pomnichowski (D)  
Sen. Janna Taylor (R)

**Members Excused:** Sen. Bruce Tutvedt, Chair (R)  
Sen. Janna Taylor (R)  
Sen. Mark Blasdel (R)

**Members Absent:** None

**Staff Present:** Jaret Coles, Legislative Branch  
Julie Ward, 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 114, 4/8/2015; HB 156, 4/8/2015

Executive Action: HB 389, HB 368

**HEARING ON HB 156**

**Opening Statement by Sponsor:**

00:00:45 Rep. Mike Miller (R), HD 80, opened the hearing on HB 156, Revise tax laws related to pollution control equipment.

**EXHIBIT(tas70a01)**

**Proponents' Testimony:**

00:03:58 David Galt, executive director, Montana Petroleum Association (MPA)  
00:06:27 Mark Lambrecht, executive director, Treasure State Resource Industry Association (TSRIA)  
00:07:58 Tammy Johnson, executive director, Montana Mining Association (MMA)  
00:09:22 Ron Devlin, Northwestern Energy (NWE)  
00:10:34 Steve Wade, Montana Contractors Association (MCA)

**Opponents' Testimony:**

00:11:17 Gene Walborn, Department of Revenue (DOR)  
00:12:12 Anne Hedges, Montana Environmental Information Center (MEIC)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:15:20 Sen. Barrett  
00:16:25 Rep. Miller  
00:16:37 Mr. Galt, MPA  
00:17:22 Sen. Barrett  
00:17:41 Mr. Galt  
00:18:27 Sen. Barrett  
00:18:37 Mr. Galt  
00:18:56 Sen. Ankney left the meeting.

**Closing by Sponsor:**

00:19:29 Rep. Miller

**EXECUTIVE ACTION ON HB 389**

00:23:39 Chairman Thomas  
00:23:53 Sen. Barrett  
00:24:25 Chairman Thomas  
00:25:03 Jaret Coles, Legislative Services Division (LSD)

**EXHIBIT(tas70a02)**

00:25:20 **Motion:** Sen. Hoven moved that **HB 389 BE CONCURRED IN.**

- 00:25:51 Mr. Coles, LSD  
00:26:28 Chairman Thomas
- 00:26:34 **Motion/Vote:** Sen. Hoven moved that **HB 389 BE AMENDED**. Motion carried 9-0 by voice vote. Sen. Blasdel, Sen. Taylor, Sen. Ankney and Sen. Tutvedt were excused.
- 00:27:03 Sen. Ankney returned to the meeting.  
00:27:16 Sen. Kaufmann
- 00:28:08 **Motion/Vote:** Sen. Thomas moved that **HB 389 BE CONCURRED IN AS AMENDED**. Motion carried 10-2 by roll call vote with Sen. Cohenour and Sen. Pomnichowski voting no. Sen. Blasdel, Sen. Taylor and Sen. Tutvedt voted by proxy. Sen. Tutvedt will carry the bill.

#### **EXECUTIVE ACTION ON HB 368**

- 00:30:59 Chairman Thomas
- 00:31:05 **Motion/Vote:** Sen. Di. Barrett moved that **HB 368 BE TABLED**. Motion carried 9-0 by voice vote. Sen. Blasdel, Sen. Taylor and Sen. Tutvedt were excused.

#### **HEARING ON HB 114**

##### **Opening Statement by Sponsor:**

- 00:31:58 Rep. Mike Miller (R), HD 80, opened the hearing on HB 114, Revise tax increment finance district remittance laws for schools.

[EXHIBIT\(tas70a03\)](#)

##### **Proponents' Testimony:**

- 00:35:29 Kevin Nelson, representing himself  
00:37:27 Dan Whyte, chief legal counsel, Department of Revenue (DOR)  
00:39:24 John Fitzpatrick, Northwestern Energy (NWE)

[EXHIBIT\(tas70a04\)](#)

[EXHIBIT\(tas70a05\)](#)

[EXHIBIT\(tas70a06\)](#)

- 00:43:54 Vice Chairman Thomas left the meeting. Sen. Kaufmann assumed duties of the chair.
- 00:47:59 Madalyn Quinlan, Office of Public Instruction (OPI)  
00:51:40 Mike Kadas, Department of Revenue (DOR)  
01:02:56 Bob Story, Montana Taxpayers Association (MONTAX)

##### **Opponents' Testimony:**

- 01:04:01 Dr. Tom Darnell, superintendent, Anaconda School District  
01:17:40 Steve Johnson, Bozeman School District  
01:21:48 Gary Lusin, trustee, Bozeman School Board

01:24:10 David Fern, trustee, Whitefish School District  
01:27:05 Rick Edwards, Montana Economic Development Association (MEDA)  
01:28:59 Bob Vogel, Montana School Board Association (MTSBA)

**EXHIBIT(tas70a07)**

01:34:09 Danelle Reisch, Whitefish School District (WSD)

**EXHIBIT(tas70a08)**

01:36:47 Kate Orozco, Whitefish School District  
01:38:53 Kirk Miller, School Administrators of Montana (SAM)  
01:41:18 Denise Williams, executive director, Montana Association of School Business  
Officials  
01:42:11 Marco Ferro, Montana Education Association, Montana Federation of Teachers  
(MEA-MFT)  
01:42:25 Dianne Burke, Montana Quality Education Coalition (MQEC)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:42:57 Sen. Barrett  
01:43:25 Mr. Kadas, DOR  
01:43:41 Sen. Malek  
01:44:30 Ms. Quinlan, OPI  
01:45:29 Sen. Malek  
01:46:22 Ms. Quinlan  
01:47:06 Sen. Malek  
01:47:48 Ms. Quinlan  
01:48:11 Sen. Malek  
01:48:50 Ms. Quinlan  
01:48:58 Vice Chair Thomas returned to the meeting and resumed duties of the chair.  
01:49:07 Sen. Malek  
01:49:13 Ms. Quinlan  
01:49:21 Sen. Malek  
01:49:56 Mr. Edwards, MEDA  
01:50:05 Sen. Malek  
01:50:26 Mr. Edwards  
01:50:38 Sen. Kaufmann  
01:51:12 Ms. Quinlan  
01:51:52 Sen. Kaufmann  
01:52:13 Mr. Kadas  
01:52:24 Sen. Kaufmann  
01:52:31 Mr. Kadas  
01:53:49 Sen. Pomnichowski  
01:54:24 Mr. Kadas  
01:54:47 Sen. Pomnichowski  
01:55:11 Ms. Reisch, WSD  
01:55:40 Sen. Pomnichowski  
01:56:01 Sen. Malek  
01:56:18 Mr. Kadas

01:57:50 Sen. Malek  
01:58:31 Mr. Kadas  
02:00:07 Sen. Cohenour  
02:00:27 Ms. Quinlan  
02:01:55 Sen. Cohenour  
02:02:15 Ms. Quinlan  
02:03:15 Sen. Kaufmann  
02:03:34 Mr. Vogel, MTSBA

**Closing by Sponsor:**

02:05:44 Rep. Miller

**Committee Business:**

02:06:37 Chairman Thomas

**ADJOURNMENT**

Adjournment: 12:09

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Julie Ward, Secretary

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Additional Documents:

**EXHIBIT([tas70aad.pdf](#))**