

SENATE JOINT RESOLUTION NO. 29
INTRODUCED BY TOOLE, DEPRATU, JOHNSON, KEENAN

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE LEGISLATIVE COUNCIL TO DESIGNATE AN APPROPRIATE INTERIM COMMITTEE OR DIRECT STAFF RESOURCES TO STUDY THE TAXATION OF CENTRALLY ASSESSED PROPERTIES, WITH A FOCUS ON UTILITIES AND UTILITY PROPERTIES.

WHEREAS, electric deregulation at the wholesale level has had a dramatic effect on electric markets;
and

WHEREAS, some electrical generation facilities in Montana have been sold and are now dedicated to the unregulated market; and

WHEREAS, other electrical generation facilities in Montana are owned by regulated, vertically integrated utilities; and

WHEREAS, major electrical generation companies in Montana have repeatedly filed appeals on their property taxes; and

WHEREAS, the rationale for the taxing of existing electrical generation was predicated on a vertically integrated utility system.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to study the taxation of centrally assessed properties, with a focus on utilities and utility properties.

BE IT FURTHER RESOLVED, that the interim committee or the staff examine the department of revenue's method for valuating electrical generation property and gather enough information to determine whether methods differ among regulated utilities, exempt wholesale generators, and other centrally assessed properties.

BE IT FURTHER RESOLVED, that, if the study is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2004.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 59th Legislature.

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