

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN JIM ELLIOTT**, on February 20, 2007 at 8:00 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Jim Elliott, Chairman (D)
Sen. Jerry W. Black (R)
Sen. Jeff Essmann (R)
Sen. Kelly Gebhardt (R)
Sen. Kim Gillan (D)
Sen. Dan Harrington (D)
Sen. Christine Kaufmann (D)
Sen. Sam Kitzenberg (D)
Sen. Jim Peterson (R)
Sen. Bob Story Jr. (R)

Members Excused: Sen. Trudi Schmidt (D)

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Lois O'Connor, 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: SB 496, 2/16/2007; SR 7, 2/16/2007;
SB 539, 2/16/2007
Executive Action: SR 7, SB 416

00:00:01

HEARING ON SB 496

Opening Statement by Sponsor:

00:01:30 SEN. AUBYN CURTISS (R), SD 1, opened the hearing on SB 496, Constitutional amendment to allow acquisition value for property taxation.

EXHIBIT (tas38a01)

Proponents' Testimony: None.

Opponents' Testimony:

00:04:59 Mary Wittinghill, Executive Director, Montana Taxpayers Association (MonTax)

Informational Testimony: None.

Questions from Committee Members and Responses:

00:06:13 Sen. Robert Story to Sen. Curtiss

Closing by Sponsor:

00:07:03 Sen. Curtiss

Discussion:

00:08:11 Sen. Story to Sen. Curtiss

HEARING ON SR 7

Opening Statement by Sponsor:

00:08:43 SEN. KELLY GEBHARDT (R), SD 23, opened the hearing on SR 7, Gold and silver standard resolution.

Proponents' Testimony:

00:09:28 Alan Anderson, TWEnterprises, Inc.

EXHIBIT (tas38a02)

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:17:07 Sen. Kim Gillan to Mr. Anderson, TWEnterprises, Inc.

00:21:02 Sen. Jerry Black to Mr. Anderson, TWEnterprises, Inc.

00:24:44 Sen. Dan Harrington to Mr. Anderson, TWEnterprises,
Inc.

Closing by Sponsor:

00:29:11 Sen. Gebhardt

HEARING ON SB 539

Opening Statement by Sponsor:

00:32:30 **SEN. DAVID WANZENRIED (D), SD 49**, opened the hearing on
SB 539, Revise property tax appeal and create property
tax protest reserve fund.

Proponents' Testimony:

00:37:57 Dan Bucks, Director, Montana Department of Revenue
(DOR)

00:39:23 Gene Walborn, Montana Department of Revenue (DOR)

EXHIBIT (tas38a03)

EXHIBIT (tas38a04)

00:47:51 Director Bucks, DOR

00:58:01 Tom Bilodeau, Research Director, MEA-MFT

01:00:46 Bob Vogel, Montana School Boards Association (MTSBA)

Opponents' Testimony:

01:02:59 Rhonda Wiggers, Montana County Treasurers Association
(MCTA)

01:09:13 Mary Wittinghill, Executive Director, Montana Taxpayers
Association (MonTax)

01:18:44 Webb Brown, Montana Chamber of Commerce

01:19:31 John Fitzpatrick, NorthWestern Energy

Informational Testimony:

01:21:28 Harold Blattie, Executive Director, Montana Association
of Counties (MACo)

Questions from Committee Members and Responses:

1:23:50 Sen. Harrington to Ms. Wiggers, MCTA

01:25:46 Sen. Gebhardt to Mr. Walborn, DOR

01:31:03 Sen. Jim Elliott

01:31:52 Sen. Christine Kaufmann to Mr. Bilodeau, MEA-MFT

01:33:37 Sen. Kaufmann to Ms. Wiggers, MCTA

01:37:45 Sen. Elliott to Ms. Wiggers, MCTA

01:41:25 Sen. Story to Sen. Elliott

01:41:51 Sen. Story to Mr. Walborn, DOR

01:47:28 Sen. Elliott to C.A. Daw, Chief Legal Counsel, Montana
Department of Revenue (DOR)

01:51:08 Sen. Elliott to Mr. Walborn, DOR

01:55:04 Sen. Elliott to David Hoffman, PPL Montana

01:59:21 Sen. Story to Mr. Walborn, DOR

02:03:15 Sen. Harrington to Director Bucks, DOR

02:09:34 Sen. Ken Peterson to Mr. Hoffman, PPL Montana

02:14:08 Sen. Kaufmann to Mr. Walborn, DOR

02:15:51 Sen. Story to Mr. Walborn, DOR

02:17:18 Sen. Story to Mr. Hoffman, PPL Montana

02:19:09 Sen. Elliott

Closing by Sponsor:

02:21:51 Sen. Wanzenried

02:27:05 Break

02:46:56 Reconvene

Discussion:

02:47:35 Sen. Elliott

EXECUTIVE ACTION ON SR 7

02:49:59 **Motion:** SEN. GEBHARDT moved that SR 7 DO PASS.

Discussion:

02:50:31 Sen. Elliott to Sen. Gebhardt

02:51:04 **Substitute Motion:** SEN. STORY made a substitute motion that SJ 7 BE TABLED.

02:51:06 SEN. STORY withdrew the SUBSTITUTE motion.

Discussion:

02:51:44 Sen. Gebhardt

02:52:31 Sen. Peterson to Sen. Gebhardt

02:53:48 **Substitute Motion/Vote:** SEN. STORY made a substitute motion that SR 7 BE TABLED. Substitute motion carried 9-2 by voice vote with SEN. ELLIOTT and SEN. GEBHARDT voting nay.

Discussion:

02:54:25 Sen. Story

EXECUTIVE ACTION ON SB 416

02:55:26 **Motion:** SEN. KAUFMANN moved that SB 416 DO PASS.

EXHIBIT (tas38a05)

Discussion:

02:57:44 Sen. Story to Sen. Kaufmann

02:58:22 Sen. Story

02:59:41 Sen. Kaufmann

03:00:25 **Motion: SEN. ESSMANN moved to amend SB 416 with amendment #SB041601.AGP.**

EXHIBIT (tas38a06)

Discussion:

03:01:59 Sen. Kaufmann

03:03:11 Sen. Harrington

03:03:24 David Hunter, Deputy Director, Montana Department of Revenue (DOR)

03:04:07 Sen. Story to Mr. Hunter, DOR

03:07:33 Sen. Kaufmann to Mr. Hunter, DOR

03:09:52 Sen. Gillan to Mr. Hunter, DOR

03:11:04 Sen. Elliott to Mr. Hunter, DOR

03:13:02 Sen. Elliott to Chris Gallus, Attorney

03:14:10 Sen. Kaufmann

03:15:07 Sen. Gillan to Lee Heiman, Staff Attorney, Legislative Services Division (LSD)

03:16:32 **Vote: Motion that #SB041601.AGP be approved failed 5-6 by roll call vote with SEN. ESSMANN, SEN. GEBHARDT, SEN. PETERSON, and SEN. STORY voting aye. SEN. BLACK voted aye by proxy. SEN. SCHMIDT voted nay by proxy.**

Discussion:

03:17:59 Sen. Gebhardt

03:18:48 Sen. Kaufmann

03:19:42 **Vote:** Motion that SB 416 DO PASS carried 9-2 by roll call vote with SEN. ESSMANN and SEN. GEBHARDT voting no. SEN. BLACK and SEN. SCHMIDT voted aye by proxy.

Discussion:

03:21:05 Sen. Story

03:22:04 Sen. Elliott to Sen. Story

03:23:53 Sen. Elliott to Sen. Story

03:24:44 Sen. Gebhardt

03:25:13 Sen. Elliott

03:25:21 Sen. Kaufmann to Sen. Kaufmann

03:26:04 Sen. Harrington

03:26:35 Sen. Story

03:27:24 Sen. Elliott

03:27:35 Sen. Gebhardt

03:28:21 Sen. Peterson

03:29:32 Sen. Elliott

ADJOURNMENT

Adjournment: 11:35 P.M.

SEN. JIM ELLIOTT, Chairman

LOIS O'CONNOR, Secretary

JE/lo

Additional Exhibits:

EXHIBIT ([tas38aad.pdf](#))