

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chairman Jeff Essmann, on January 28, 2009 at 8:00 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Jeff Essmann, Chairman (R)
Sen. Taylor Brown, Vice Chairman (R)
Sen. Jerry W. Black (R)
Sen. Gary Branae (D)
Sen. Ron Erickson (D)
Sen. Kelly Gebhardt (R)
Sen. Bradley Hamlett (D)
Sen. Bob Story Jr. (R)
Sen. Bruce Tutvedt (R)

Members Excused: Sen. Kim Gillan (D)
Sen. Christine Kaufmann (D)

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Debra Polhemus, 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 211, 1/13/2009; SB 280,
1/23/2009

Executive Action: None

Committee Business:

EXHIBIT(tas20a01)

January 2009 Montana Tax Digest

EXHIBIT(tas20a02)

Report on State Tax Expenditures

HEARING ON SB 280

Opening Statement by Sponsor:

00:01:53 Sen. Kelly Gebhardt (R), SD 23, opened the hearing on
SB 280, Revise tax exemption of rental personal
property.

EXHIBIT(tas20a03)

Proponents' Testimony:

00:04:48 Rohnn Lampi, Aspen Way Enterprises, Missoula

00:09:31 David Lyons, LTL Investments, Belgrade

Opponents' Testimony: None

Informational Testimony:

00:13:06 Debbie Jurcich, Department of Revenue (DOR)

Questions from Committee Members and Responses:

00:13:30 Sen. Erickson

00:14:16 Rohnn Lampi

00:14:58 Sen. Brown

00:15:22 Rohnn Lampi

00:15:50 Sen. Kaufmann arrived at hearing

00:17:04 Sen. Story

00:17:41 Rohnn Lampi

00:18:09 Sen. Black

00:18:26 Rohnn Lampi

00:19:05 Sen. Story

00:19:43 Rohnn Lampi

00:21:19 Sen. Story

00:22:32 Debbie Jurcich, DOR

00:22:46 Sen. Gillan arrived at hearing

00:23:22 Sen. Erickson

00:24:05 Sen. Gebhardt

Closing by Sponsor:

00:25:00 Sen. Gebhardt

00:25:43 Recess

00:32:22 Reconvene

HEARING ON SB 211

Opening Statement by Sponsor:

00:32:43 Sen. David Wanzonried (D), SD 49, opened the hearing on SB 211, Prevent corporations from channeling income to insurance subsidiaries.

Proponents' Testimony:

00:39:08 Brian Staley, representing the Department of Revenue

[EXHIBIT\(tas20a04\)](#)

[EXHIBIT\(tas20a05\)](#)

Opponents' Testimony:

00:47:16 Jacqueline Lenmark, representing American Insurance Association (AIA) and American Council of Life Insurers (ACLI)

01:01:17 Bruce Spencer, representing Property Casualty Insurance Company (PCI)and Montana Automobile Dealers Association (MTADA)

01:11:25 Robert Durand, representing Montana Captive Insurance Association (MCIA)

01:15:16 Aimee Grmoljez, representing Montana Bankers Association

01:15:44 Webb Brown, representing Montana Chamber of Commerce

01:16:01 Holly Franz, representing Montana Society of CPAs

01:16:20 Jacqueline Lenmark also speaking for Greg Van Horsen, State Farm Insurance Company

01:16:46 Bruce Spencer also speaking for Mary Whittinghill, Montana Taxpayers Association

Informational Testimony: None

Questions from Committee Members and Responses:

01:17:16 Sen. Kaufmann
01:17:47 Brian Staley, DOR
01:18:26 Sen. Kaufmann
01:18:49 Brian Staley
01:21:12 Sen. Brown
01:21:45 Brian Staley
01:23:00 Sen. Erickson
01:23:35 Brian Staley
01:24:11 Sen. Erickson
01:24:37 Brian Staley
01:25:43 Sen. Tutvedt
01:26:06 Holly Franz, Montana Society of CPAs
01:27:12 Sen. Tutvedt
01:27:30 Holly Franz
01:28:44 Sen. Tutvedt
01:29:01 Sen. Wanzenried
01:30:49 Sen. Story
01:31:42 Bruce Spencer
01:32:05 Sen. Story
01:32:57 Bruce Spencer
01:35:32 Sen. Story
01:36:14 Bruce Spencer
01:36:39 Sen. Story
01:37:19 Brian Staley
01:37:35 Sen. Story
01:38:43 Brian Staley
01:40:06 Sen. Story
01:40:29 Jacqueline Lenmark
01:41:11 Sen. Story
01:42:15 Jacqueline Lenmark
01:43:08 Sen. Gillan
01:44:09 Jacqueline Lenmark
01:44:52 Sen. Gillan
01:45:12 Jacqueline Lenmark
01:45:56 Brian Staley
01:46:08 Sen. Black
01:46:47 Brian Staley
01:47:42 Sen. Black
01:47:52 Bruce Spencer
01:48:49 Sen. Tutvedt
01:49:09 Sen. Wanzenried
01:49:19 Sen. Tutvedt
01:49:31 Sen. Wanzenried
01:50:14 Sen. Tutvedt
01:50:30 Sen. Kaufmann
01:51:09 Sen. Wanzenried
01:52:01 Sen. Kaufmann
01:52:22 Sen. Wanzenried

Questions from Committee Members and Responses: (con't)

01:53:09 Sen. Kaufmann
01:53:16 Brian Staley
01:54:09 Sen. Hamlett
01:54:47 Brian Staley
01:55:16 Chairman Essmann

01:56:19 Brian Staley
01:57:30 Chairman Essmann
01:58:02 Brian Staley
01:58:55 Sen. Story
01:59:53 Brian Staley

Closing by Sponsor:

02:00:22 Sen. Wanzienried

EXHIBIT (tas20a06)

02:04:46 Chairman Essmann
02:05:13 Sen. Story
02:05:36 Chairman Essmann

ADJOURNMENT

Adjournment: 10:15 A.M.

Debra Polhemus, Secretary

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Additional Documents:

EXHIBIT ([tas20aad.pdf](#))