

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Bruce Tutvedt, on February 18, 2011 at 8:00 AM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Bruce Tutvedt, Chair (R)
Sen. Ron Arthun (R)
Sen. Gary Branae (D)
Sen. Ron Erickson (D)
Sen. Kim Gillan (D)
Sen. Christine Kaufmann (D)
Sen. Jim Peterson (R)
Sen. Kendall Van Dyk (D)
Sen. Art Wittich (R)

Members Excused:

Sen. Bob Lake, Vice Chair (R)
Sen. Jeff Essmann (R)
Sen. Chas Vincent (R)

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 373, 2/17/2011; SB 377, 2/17/2011; SB 382, 2/17/2011; SB 383, 2/17/2011
Executive Action: SB 373 ~ Tabled

HEARING ON SB 383

Opening Statement by Sponsor:

00:00:41 Sen. Llew Jones (R), SD 14, opened the hearing on SB 383, Define spot zoning.

Proponents' Testimony:

00:03:35 Joe Briggs, Cascade County Commissioner, also representing the Great Falls Chamber of Commerce

EXHIBIT(tas40a01)

00:07:55 Tara DePuy, Land Use Attorney, Montana Association of Counties (MACo)

Opponents' Testimony:

00:08:59 Anne Hedges, Montana Environmental Information Center (MEIC)

EXHIBIT(tas40a02)

Informational Testimony:

00:16:12 Brian Hopkins, Deputy County Attorney, Cascade County

00:16:31 Brian Clifton, Public Works Director, Cascade County

Questions from Committee Members and Responses:

00:16:58 Sen. Wittich

00:17:27 Joe Briggs

00:20:41 Sen. Wittich

00:21:05 Anne Hedges, MEIC

00:21:39 Sen. Arthun

00:21:51 Joe Briggs

00:22:39 Chairman Tutvedt

00:23:14 Joe Briggs

00:24:43 Chairman Tutvedt

00:25:21 Brian Hopkins, Deputy County Attorney

00:26:26 Chairman Tutvedt

00:26:46 Brian Hopkins

00:27:27 Chairman Tutvedt

00:27:49 Tara DePuy, MACo

00:28:48 Sen. Erickson

00:29:56 Brian Clifton, Cascade County

00:33:22 Sen. Van Dyk

00:33:42 Harold Blattie, Executive Director, MACo, without objection from the committee

00:34:54 Brian Hopkins

00:37:04 Sen. Kaufmann

00:37:34 Anne Hedges

00:38:45 Sen. Kaufmann

00:38:58 Anne Hedges

00:39:42 Sen. Kaufmann

00:40:04 Joe Briggs

00:40:49 Sen. Kaufmann
 00:41:20 Brian Hopkins
 00:44:38 Sen. Gillan
 00:45:59 Brian Hopkins
 00:48:42 Sen. Gillan
 00:49:03 Brian Hopkins
 00:49:17 Chairman Tutvedt
 00:49:36 Joe Briggs
 00:51:43 Chairman Tutvedt
 00:52:26 Joe Briggs

Closing by Sponsor:

00:53:18 Sen. Llew Jones

HEARING ON SB 377

Opening Statement by Sponsor:

00:58:16 Sen. Kim Gillan (D), SD 24, opened the hearing on SB 377, Generally revise tax laws to require adoption of revenue estimate for taxes & other rev.

EXHIBIT(tas40a03)

01:05:56 Chairman Tutvedt
 01:06:16 Sen. Gillan

Proponents' Testimony:

01:07:43 David Ewer, Budget Director, Office of the Governor
 01:15:34 Chairman Tutvedt
 01:16:43 David Ewer
 01:17:28 Chairman Tutvedt
 01:18:15 David Ewer
 01:25:29 Chairman Tutvedt
 01:25:54 David Ewer
 01:26:11 Tara Veazey, Montana Budget and Policy Center

EXHIBIT(tas40a04)

01:32:18 Anita Roessmann, Disability Rights of Montana
 01:35:49 Olivia Riutta, Montana Women Vote
 01:37:09 Diane Fladmo, MEA/MFT

Opponents' Testimony: None

Informational Testimony:

01:38:42 Ryan Evans, Finance Manager, Office of the Governor
EXHIBIT(tas40a05)
EXHIBIT(tas40a06)
 01:39:32 Erik Dale, Revenue Analyst, Budget Office
 01:39:48 Ralph Franklin, Revenue Analyst, Budget Office

Questions from Committee Members and Responses:

01:40:11 Sen. Van Dyk
 01:41:33 David Ewer
 01:45:07 Chairman Tutvedt
 01:45:37 Sen. Gillan
 01:46:36 Chairman Tutvedt
 01:47:00 Sen. Gillan
 01:49:26 Sen. Kaufmann
 01:50:26 Sen. Gillan
 01:52:32 Sen. Erickson
 01:54:00 David Ewer
 01:54:33 Erik Dale
 01:56:36 Sen. Erickson
 01:57:16 Erik Dale
 01:58:24 Sen. Erickson
 01:59:22 Terry C. Johnson, Principal Fiscal Analyst, Legislative Fiscal Division (LFD),
 without objection from the committee
 02:01:11 Sen. Erickson
 02:01:19 Erik Dale
 02:02:32 Chairman Tutvedt
 02:03:02 David Ewer
 02:06:29 Chairman Tutvedt
 02:07:14 Tara Veazey
 02:09:35 Sen. Kaufmann
 02:09:55 David Ewer
 02:10:01 Chairman Tutvedt
 02:11:18 Sen. Gillan
 02:13:41 Sen. Arthun
 02:13:52 Sen. Gillan
 02:15:36 Sen. Lake
 02:15:56 Sen. Gillan
 02:16:05 Lee Heiman, Legislative Services Division (LSD)

Closing by Sponsor:

02:16:20 Sen. Gillan
 02:20:30 Chairman Tutvedt

HEARING ON SB 382

Opening Statement by Sponsor:

02:22:20 Sen. Kim Gillan (D), SD 24, opened the hearing on SB 382, Require the
 Department of Revenue to provide certain information to taxpayer.

EXHIBIT(tas40a07)

Proponents' Testimony:

02:26:01 Nancy Schlepp, Montana Taxpayers Association (MTA)
02:28:08 Tom Ebzery, Attorney, Billings, representing Qwest

Opponents' Testimony:

02:31:03 Gene Walborn, Department of Revenue (DOR)
[EXHIBIT\(tas40a08\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

02:39:36 Sen. Wittich
02:40:29 Gene Walborn, DOR
02:43:39 Sen. Wittich
02:44:41 Gene Walborn
02:46:00 Sen. Wittich
02:46:27 Sen. Gillan
02:47:17 Sen. Lake
02:47:43 Sen. Gillan
02:48:04 Sen. Lake
02:48:39 Sen. Wittich
02:49:28 Tom Ebzery
02:51:26 Sen. Wittich
02:52:14 Gene Walborn
[EXHIBIT\(tas40a09\)](#)
02:54:37 Chairman Tutvedt
02:55:18 Nancy Schlepp, MTA

Closing by Sponsor:

02:55:38 Sen. Gillan
02:57:55 Recess
03:06:02 Reconvene

HEARING ON SB 373

Opening Statement by Sponsor:

03:06:17 Sen. Jim Shockley (R), SD 45, opened the hearing on SB 373, Require disclosure of self ins. Local gov't ins. Settlements.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

03:08:29 Steve Wade, representing Montana Municipal Interlocal Authorities (MMIA)
03:09:23 Mike Sehestedt, Montana Association of Counties (MACo)
03:10:12 Sen. Shockley
03:11:25 Lee Heiman, LSD
03:11:43 Sen. Shockley
03:12:00 Lee Heiman

Questions from Committee Members and Responses: None

Closing by Sponsor:

03:12:35 Sen. Shockley

EXECUTIVE ACTION ON SB 373

03:12:39 **Motion/Vote:** Sen. Lake moved that **SB 373 BE TABLED**. Motion carried 8-0 by voice vote of those present and voting.

Committee Business:

03:13:40 Chairman Tutvedt
03:14:06 Sen. Lake
03:14:57 Sen. Gillan
03:15:25 Chairman Tutvedt
03:15:44 Sen. Gillan

Additional Exhibit:

EXHIBIT(tas40a10)

Information from the Department of Revenue dated February 17, 2011 regarding SB 253.

ADJOURNMENT

Adjournment: 11:20 A.M.

Debra Polhemus, Secretary

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Additional Documents:

EXHIBIT([tas40aad.pdf](#))