

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Bruce Tutvedt, on February 21, 2013 at 8:00 AM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Bruce Tutvedt, Chair (R)
Sen. Fred Thomas, Vice Chair (R)
Sen. Ron Arthun (R)
Sen. Dick Barrett (D)
Sen. Greg Jergeson (D)
Sen. Christine Kaufmann (D)
Sen. Jim Peterson (R)
Sen. Janna Taylor (R)

Members Excused: Sen. Jeff Essmann (R)
Sen. Sue Malek (D)
Sen. Mike Phillips (D)
Sen. Art Wittich (R)

Members Absent: None

Staff Present: Jaret Coles, Legislative Branch
Charlene Rich, 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 282, 2/13/2013; SB 307, 2/13/2013

Executive Action: SB 231, Do Pass As Amended

HEARING ON SB 282

Opening Statement by Sponsor:

00:22:54 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 282, Generally revise taxation of income, including the corporate license tax.

[EXHIBIT\(tas39a01\)](#)

00:24:17 Sen. Wittick and Sen. Malek entered hearing.

00:27:03 Sen. Phillips entered the hearing.

Proponents' Testimony:

00:31:43 George Olsen, Montana Society of Certified Public Accountants (MSCPA)

00:37:15 Nancy Schlepp, Montana Taxpayers Association (MTA)

[EXHIBIT\(tas39a02\)](#)

00:38:35 Glenn Oppel, Montana Chamber of Commerce (MCC)

00:39:13 Kiely Keane, Montana Medical Association (MMA)

Opponents' Testimony:

00:39:59 Ben Brouwer, Montana Renewable Energy Association (MREA)

00:46:06 Leo Berry, Association of Montana Retired Public Employees (AMRPE)

00:50:19 Kyla Maki, Montana Environmental Investment Center (MEIC)

00:52:10 Clayton Elliott, Northern Plains Resource Council (NPRC)

00:52:55 Matt Elsaesser, Montana Recyclers Association (MRA)

[EXHIBIT\(tas39a03\)](#)

00:54:19 Ross Prosperi, Montana Conservation Voters (MCV)

00:55:36 Jessie Luther, Motion Picture Association of America (MPAA)

00:56:31 Sen. Jergeson left the hearing.

Informational Testimony:

00:56:54 Brian Olsen, Montana Department of Revenue (DOR)

Questions from Committee Members and Responses:

00:57:19 Sen. Barrett

00:58:17 Chairman Tutvedt

01:00:21 Sen. Thomas

01:00:29 Sen. Jergeson

01:00:34 Sen. Peterson

01:01:01 Chairman Tutvedt

01:01:55 Sen. Malek

01:02:03 Ben Brouwer, MREA

01:02:42 Kyla Maki, MEIC

01:03:10 Sen. Malek

01:04:27 Kyla Maki
01:06:21 Sen. Jergeson
01:07:24 Chairman Tutvedt
01:08:30 Sen. Jergeson
01:08:54 Dan Dodds, Montana Department of Revenue, (DOR)
01:10:24 Sen. Jergeson
01:11:33 Sen. Thomas
01:11:38 Dan Dodds, DOR
01:11:56 Sen. Taylor
01:12:37 Dan Dodds
01:13:44 Sen. Barrett
01:17:59 Dan Dodds
01:18:22 Jaret Coles, Legislative Services Division (LSD)
01:19:11 Sen. Thomas
01:19:27 Sen. Kaufmann
01:21:35 Chairman Tutvedt
01:22:00 Sen. Kaufmann
01:22:20 Dan Dodds
01:23:46 Sen. Kaufmann
01:24:05 Dan Dodds
01:25:00 Sen. Wittich
01:33:18 Dan Dodds
01:33:50 Sen. Malek
01:33:58 Dan Dodds
01:35:35 Sen. Malek
01:35:44 George Olsen, MSCPA
01:36:43 Sen. Thomas
01:36:48 George Olsen
01:37:51 Sen. Malek
01:37:58 Dan Dodds
01:38:04 Sen. Malek
01:38:41 Chairman Tutvedt
01:39:36 Sen. Barrett
01:42:14 Chairman Tutvedt
01:44:01 Sen. Kaufmann
01:44:32 Chairman Tutvedt
01:45:51 Sen. Taylor
01:46:13 Chairman Tutvedt
01:46:44 Sen. Taylor
01:46:58 Sen. Jergeson
01:48:46 Chairman Tutvedt
00:49:46 Sen. Thomas
01:50:40 George Olsen
01:51:28 Sen. Thomas
01:51:47 Brian Olsen, DOR
01:52:42 Sen. Thomas
01:55:43 Brian Olsen

Closing by Sponsor:

01:55:55 Chairman Tutvedt

01:58:48 Brief Recess

02:08:55 Reconvened

HEARING ON SB 307

Opening Statement by Sponsor:

02:09:48 Sen. Greg Jergeson (D), SD 17, opened the hearing on SB 307, Revise utility rate laws related state and local taxes.

[EXHIBIT\(tas39a04\)](#)

02:12:26 Sen. Wittich and Sen. Arthun left the hearing.

Proponents' Testimony:

02:19:27 Travis Kavulla, Public Service Commission, District 1 (PSC)

[EXHIBIT\(tas39a05\)](#)

[EXHIBIT\(tas39a06\)](#)

[EXHIBIT\(tas39a07\)](#)

02:33:52 Mary Wright, Montana Consumer Council (MCC)

Opponents' Testimony:

02:38:50 John Fitzpartick, NorthWestern Energy (NWE)

[EXHIBIT\(tas39a08\)](#)

[EXHIBIT\(tas39a09\)](#)

[EXHIBIT\(tas39a10\)](#)

02:53:07 Nancy Schlepp, Montana Taxpayers Association (MTA)

02:54:10 Harold Blattie, Montana Association of Counties (MACo)

Informational Testimony: None

Questions from Committee Members and Responses:

02:55:53 Sen. Thomas

02:56:16 Sen. Jergeson

02:58:25 Sen. Thomas

03:00:09 Travis Kavulla, PSC

03:00:27 Chairman Tutvedt

03:00:38 Travis Kavulla

03:01:23 Sen. Barrett

03:06:58 Travis Kavulla

03:08:26 Sen. Malek

03:12:39 Mary Wright, MCC

03:13:39 Chairman Tutvedt
03:14:14 Nancy Schlepp, MTA

Closing by Sponsor:

03:14:36 Sen. Jergeson

EXECUTIVE ACTION ON SB 231

03:17:47 **Motion/Vote:** Sen. Malek moved that **SB 231 DO PASS AS AMENDED**. Motion carried 9-3 by roll call vote with Sen. Essmann, Sen. Taylor and Sen. Wittich voting no. Sen. Essmann, Sen. Arthun, Sen. Thomas and Sen. Wittich voted by proxy. (previously amended on February 20, 2013)

Discussion:

03:20:21 Sen. Kaufmann
03:20:55 Chairman Tutvedt
03:21:10 Sen. Phillips
03:21:30 Chairman Tutvedt
03:22:48 Jaret Coles, Legislative Services Division, LSD
03:23:20 Sen. Phillips
03:23:26 Chairman Tutvedt
03:24:29 Sen. Jergeson
03:25:31 Chairman Tutvedt
03:25:49 Sen. Taylor
03:28:08 Chairman Tutvedt

ADJOURNMENT

Adjournment:

Charlene Rich, Secretary

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Additional Documents:

EXHIBIT([tas39aad.pdf](#))