

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Bruce Tutvedt, on March 11, 2015 at 8:00 AM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Bruce Tutvedt, Chair (R)
Sen. Fred Thomas, Vice Chair (R) (arrived after roll call)
Sen. Duane Ankney (R)
Sen. Dick Barrett (D)
Sen. Mark Blasdel (R)
Sen. Taylor Brown (R)
Sen. Jill Cohenour (D)
Sen. Brian Hoven (R)
Sen. Christine Kaufmann (D)
Sen. Sue Malek (D)
Sen. JP Pomnichowski (D)
Sen. Janna Taylor (R)

Members Excused:

Members Absent: None

Staff Present: Jaret Coles, Legislative Branch
Julie Ward, 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 392, 3/6/2015

Executive Action: SB 157 - Do Pass As Amended; SB 91 - Do Pass As Amended;
SB 308 - Do Pass As Amended.

EXECUTIVE ACTION ON SB 157

00:01:24 Chairman Tutvedt

00:01:27 **Motion:** Sen. Blasdel moved that **SB 157 DO PASS.**

00:02:07 **Motion:** Sen. Blasdel moved that **SB 157 BE AMENDED.**
EXHIBIT(tas50a01)

Discussion:

00:02:52 Sen. Barrett

00:03:28 Chairman Tutvedt

00:04:55 Sen. Barrett

00:05:47 Chairman Tutvedt

00:06:21 Sen. Barrett

00:06:35 Chairman Tutvedt

00:06:45 Sen. Barrett

00:06:54 Chairman Tutvedt

00:08:13 Sen. Kaufmann

00:08:31 Chairman Tutvedt

00:08:59 Sen. Blasdel

00:10:01 Chairman Tutvedt

00:10:24 Sen. Barrett

00:10:35 Chairman Tutvedt

00:10:50 Sen. Brown

00:11:10 Sen. Barrett

00:11:35 Sen. Hoven

00:12:07 Sen. Malek

00:12:19 Chairman Tutvedt

00:13:05 Sen. Malek

00:13:47 Sen. Kaufmann

00:14:14 Chairman Tutvedt

00:14:28 Sen. Pomnichowski

00:16:05 Sen. Taylor

00:17:01 Chairman Tutvedt

00:17:55 Sen. Hoven

00:18:08 Sen. Blasdel

00:18:44 Chairman Tutvedt

00:19:22 Sen. Hoven

00:19:41 Mike Kadas, Montana Department of Revenue (DOR)

00:21:16 Sen. Cohenour

00:21:36 Sen. Malek

00:22:21 **Vote:** Motion failed 3-9 by roll call vote with Sen. Blasdel, Sen. Hoven and Sen. Taylor voting aye. Sen. Thomas voted by proxy.

00:23:12 **Motion:** Sen. Di. Barrett moved that **SB 157 BE AMENDED.**
[EXHIBIT\(tas50a02\)](#)

Discussion:

00:23:47 Chairman Tutvedt

00:24:59 **Vote:** Motion carried 11-0 by voice vote. Sen. Thomas was excused.

00:25:19 **Motion:** Sen. Di. Barrett moved that **SB 157 BE AMENDED.**
[EXHIBIT\(tas50a03\)](#)

Discussion:

00:25:31 Chairman Tutvedt

00:26:09 **Vote:** Motion carried 11-0 by voice vote. Sen. Thomas was excused.

00:26:30 **Motion:** Sen. Di. Barrett moved that **SB 157 BE AMENDED.**
[EXHIBIT\(tas50a04\)](#)

Discussion:

00:26:41 Chairman Tutvedt

00:26:56 Jaret Coles, Legislative Services Division (LSD)

00:30:05 Chairman Tutvedt

00:30:17 Mr. Coles

00:30:22 Sen. Hoven

00:30:40 Chairman Tutvedt

00:31:28 Sen. Brown

00:31:37 Mr. Coles

00:32:40 **Motion:** Sen. Cohenour moved to **AMEND AMENDMENT SB015708.AJC**
CONCEPTUALLY.

Discussion:

00:32:51 Sen. Hoven

00:33:37 Sen. Barrett

00:33:46 Chairman Tutvedt

00:34:28 Mr. Kadas, DOR

00:34:51 Chairman Tutvedt

00:35:14 **Vote:** Motion carried 11-0 by voice vote. Sen. Thomas was excused.

Discussion:

00:35:57 Mr. Kadas

00:37:20 Chairman Tutvedt
00:37:55 Sen. Kaufmann
00:38:48 Chairman Tutvedt
00:38:54 Sen. Hoven left the hearing.
00:40:03 Sen. Barrett
00:40:13 Chairman Tutvedt
00:40:36 Mr. Kadas
00:41:08 Sen. Barrett
00:41:28 Chairman Tutvedt
00:41:55 Sen. Taylor
00:42:44 Mr. Kadas
00:42:59 Chairman Tutvedt
00:43:13 Sen. Taylor
00:43:44 Chairman Tutvedt
00:43:52 Sen. Thomas entered the hearing.

00:44:08 **Vote:** Motion carried unanimously by voice vote. (on amendment SB015708.ajc as amended conceptually)

00:45:10 Mr. Kadas
00:46:11 Sen. Barrett
00:46:23 Mr. Kadas
00:47:00 Chairman Tutvedt
00:47:39 Mr. Kadas
00:49:14 Chairman Tutvedt
00:49:47 Sen. Barrett
00:52:01 Sen. Kaufmann
00:53:01 Chairman Tutvedt

00:53:25 **Motion/Vote:** Sen. Kaufmann moved that **SB 157 DO PASS AS AMENDED**. Motion carried 9-2 by voice vote with Sen. Blasdel and Sen. Taylor voting no. Sen. Hoven was excused.

00:54:18 Sen. Kaufmann and Sen. Barrett left the hearing.

EXECUTIVE ACTION ON SB 91

00:55:19 **Motion/Vote:** Sen. Thomas moved that **SB 91 BE REMOVED FROM TABLE**. Motion carried 9-0 by voice vote. Sen. Barrett, Sen. Hoven and Sen. Kaufmann were excused.

00:56:07 **Motion:** Sen. Thomas moved that **SB 91 DO PASS**.
[EXHIBIT\(tas50a05\)](#)

00:57:05 **Motion:** Sen. Thomas moved that **SB 91 BE AMENDED**.

Discussion:

00:58:32 Dan Whyte, Department of Revenue (DOR)

00:59:49 Jaret Coles, Legislative Services Division (LSD)
01:01:18 Sen. Thomas
01:01:49 Sen. Malek
01:02:05 Sen. Thomas
01:02:36 Mr. Coles, LSD
01:03:10 Sen. Malek
01:03:28 Mr. Whyte, DOR
01:04:28 Sen. Malek
01:05:36 Sen. Cohenour
01:05:48 Mr. Coles
01:06:29 Sen. Cohenour
01:06:52 Mr. Coles
01:07:37 Chairman Tutvedt
01:08:45 Sen. Malek
01:09:04 Chairman Tutvedt
01:09:10 Sen. Pomnichowski
01:10:13 Sen. Thomas
01:11:25 Sen. Pomnichowski
01:12:13 Chairman Tutvedt
01:12:50 Sen. Hoven returned to the hearing.
01:13:05 Mr. Whyte
01:13:44 Chairman Tutvedt
01:13:54 Mr. Whyte
01:14:48 Sen. Malek
01:15:20 Mr. Whyte
01:15:47 Sen. Malek
01:16:00 Mr. Whyte
01:16:25 Sen. Cohenour

01:17:13 **Vote:** Motion carried 8-2 by voice vote with Sen. Malek and Sen. Pomnichowski voting no. Sen. Barrett and Sen. Kaufmann were excused.

01:17:48 **Motion/Vote:** Sen. Thomas moved that **SB 91 DO PASS AS AMENDED.** Motion carried 10-0 by voice vote. Sen. Barrett and Sen. Kaufmann were excused.

EXECUTIVE ACTION ON SB 308

01:19:18 **Motion:** Sen. Thomas moved that **SB 308 DO PASS.**

01:19:22 **Motion:** Sen. Pomnichowski moved that **SB 308 BE AMENDED.**
[EXHIBIT\(tas50a06\)](#)

Discussion:

01:20:34 Chairman Tutvedt

01:20:54 **Vote:** Motion carried 10-0 by voice vote. Sen. Barrett and Sen. Kaufmann were excused.

Discussion:

01:21:05 Sen Cohenour

01:21:21 **Motion/Vote:** Sen. Pomnichowski moved that **SB 308 DO PASS AS AMENDED**. Motion carried 10-0 by voice vote. Sen. Barrett and Sen. Kaufmann were excused.

01:22:03 Sen. Blasdel left the hearing.

Revenue Update:

01:22:26 Nick Brown, Legislative Fiscal Division (LFD)
EXHIBIT(tas50a07)

01:28:05 Sen. Ankney
01:28:24 Mr. Brown, LFD
01:29:04 Stephanie Morrison, Legislative Fiscal Division (LFD)
01:31:08 Sen. Hoven
01:31:27 Ms. Morrison, LFD
01:33:29 Sen. Hoven
01:33:38 Ms. Morrison
01:34:12 Chairman Tutvedt
01:34:32 Ms. Morrison
01:36:23 Chairman Tutvedt
01:36:33 Ms. Morrison
01:37:36 Chairman Tutvedt
01:38:39 Ms. Morrison
01:39:03 Sen. Malek
01:39:34 Ms. Morrison
01:40:23 Sen. Malek
01:41:08 Ms. Morrison

Committee Business:

01:42:38 Sen. Thomas
01:42:48 Chairman Tutvedt
01:44:24 Sen. Malek
01:44:47 Sen. Thomas
01:44:58 Chairman Tutvedt

HEARING ON SB 392

Opening Statement by Sponsor:

01:46:25 Sen. Dee Brown (R), SD 2, opened the hearing on SB 392, Revise lodging facility and accommodation use taxes to encourage compliance.

Proponents' Testimony:

01:48:15 Stuart Doggett, Montana Lodging and Hospitality Association (MLHA)

Opponents' Testimony: None

Informational Testimony:

01:52:17 Lee Baerlocher, Department of Revenue (DOR)

Questions from Committee Members and Responses:

01:52:47 Sen. Malek
01:53:14 Sen. Dee Brown
01:54:16 Sen. Malek
01:54:29 Sen. Brown
01:54:57 Sen. Taylor Brown
01:55:11 Sen. Dee Brown
01:55:57 Mr. Baerlocher, DOR
01:57:12 Sen. Taylor Brown
01:57:42 Sen. Pomnichowski
01:57:57 Mr. Baerlocher
01:58:05 Sen. Pomnichowski
01:58:13 Mr. Baerlocher
01:59:01 Sen. Pomnichowski
01:59:26 Mr. Baerlocher
02:00:02 Sen. Pomnichowski
02:00:58 Mr. Baerlocher
02:01:29 Sen. Pomnichowski
02:01:51 Mr. Baerlocher
02:02:05 Sen. Dee Brown
02:03:42 Chairman Tutvedt
02:04:03 Mr. Doggett, MLHA
02:05:11 Sen. Cohenour
02:05:51 Mr. Doggett
02:06:58 Sen. Cohenour
02:07:31 Mr. Baerlocher
02:08:09 Sen. Ankney
02:08:28 Mr. Baerlocher
02:09:14 Sen. Pomnichowski
02:10:12 Mr. Doggett
02:10:45 Sen. Pomnichowski
02:11:45 Mr. Doggett
02:12:18 Jaret Coles, Legislative Services Division (LSD)
02:13:50 Sen. Cohenour
02:14:22 Mr. Baerlocher
02:14:39 Chairman Tutvedt
02:14:54 Mr. Baerlocher
02:15:14 Sen. Cohenour

02:15:36 Jim McKeon, Department of Revenue (DOR)
02:18:34 Sen. Cohenour
02:18:59 Mr. McKeon, DOR
02:20:13 Chairman Tutvedt
02:20:34 Mr. Doggett
02:21:26 Chairman Tutvedt
02:21:56 Sen. Cohenour
02:22:18 Mr. Baerlocher

Closing by Sponsor:

02:22:32 Sen. Dee Brown

ADJOURNMENT

Adjournment: 10:29 A.M.

Julie Ward, Secretary

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Additional Documents:

EXHIBIT([tas50aad.pdf](#))