

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Bruce Tutvedt, on April 14, 2015 at 8:00 AM, in Room 405 Capitol

ROLL CALL

Members Present:

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

Members Excused: Sen. Mark Blasdel (R)

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: HB 154, 4/9/2015; HB 235, 4/9/2015; HB 421, 4/9/2015, SJR 26

Executive Action: HB 154, HB 114, SJR 26

HEARING ON HB 154**Opening Statement by Sponsor:**

00:00:05 Rep. Roy Hollandsworth (R), HD 27, opened the hearing on HB 154, Review income tax credits.

Proponents' Testimony:

00:02:31 Eric Feaver, Montana Education Association, Montana Federation of Teachers (MEA-MFT)

Opponents' Testimony:

00:04:34 Heather O'Loughlin, Montana Budget and Policy Center (MBPC)

00:09:38 Ben Brouwer, Montana Renewable Energy Association (MREA)

Informational Testimony:

00:13:46 Lee Baerlocher, Department of Revenue (DOR)

00:14:06 Peter Brown, Montana State Historic Preservation Office (SHPO)

Questions from Committee Members and Responses:

00:14:34 Sen. Barrett
00:15:47 Mr. Feaver, MEA-MFT
00:17:03 Sen. Barrett
00:17:41 Rep. Hollandsworth
00:18:13 Sen. Barrett
00:19:29 Rep. Hollandsworth
00:21:02 Sen. Thomas
00:21:13 Mr. Baerlocher, DOR
00:21:30 Sen. Thomas
00:21:56 Mr. Baerlocher
00:22:20 Sen. Kaufmann
00:22:27 Mr. Brown, SHPO
00:25:01 Sen. Kaufmann
00:25:29 Rep. Hollandsworth
00:26:22 Sen. Kaufmann
00:26:50 Rep. Hollandsworth
00:27:41 Sen. Kaufmann
00:28:40 Rep. Hollandsworth
00:29:19 Sen. Kaufmann

Closing by Sponsor:

00:29:41 Rep. Hollandsworth

HEARING ON HB 235**Opening Statement by Sponsor:**

00:31:00 Rep. Ryan Lynch (D), HD 76, opened the hearing on HB 235, Revise disposition of metalliferous mines license tax.

[EXHIBIT\(tas75a01\)](#)

Proponents' Testimony:

00:33:21 Tammy Johnson, executive director, Montana Mining Association (MMA)
00:34:56 Danette Gleason, finance director, City and County of Butte-Silver Bow
00:36:35 Rep. Forest Mandeville, HD 57
00:37:11 Harold Blattie, executive director, Montana Association of Counties (MACo)
00:41:23 Ronda Wiggers, Montana County Treasurer's Association; Barrick Golden Sunlight Mine
00:43:47 Mark Lambrecht, executive director, Treasure State Resource Industry Association (TSRIA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:45:07 Sen. Hoven
00:45:49 Rep. Lynch
00:46:20 Chairman Tutvedt
00:46:49 Mr. Blattie, MACo
00:47:43 Chairman Tutvedt
00:48:10 Mr. Blattie
00:50:01 Chairman Tutvedt
00:50:49 Mr. Blattie
00:51:25 Lee Baerlocher, Department of Revenue (DOR)
00:51:56 Ms. Johnson, MMA
00:53:12 Sen. Barrett
00:54:28 Rep. Lynch
00:54:53 Ms. Johnson
00:56:03 Sen. Barrett
00:56:58 Ms. Johnson
00:58:26 Sen. Kaufmann
00:59:12 Rep. Lynch
00:59:40 Sen. Kaufmann
01:00:00 Rep. Lynch
01:00:36 Chairman Tutvedt
01:00:56 Rep. Lynch
01:01:14 Sen. Hoven
01:01:36 Rep. Lynch
01:01:47 Ms. Gleason, Butte-Silver Bow
01:03:20 Chairman Tutvedt

01:03:29 Ms. Johnson

Closing by Sponsor:

01:04:10 Rep. Lynch

HEARING ON HB 421

Opening Statement by Sponsor:

01:05:50 Rep. Tom Berry (R), HD 40, opened the hearing on HB 421, Extend termination date of coal severance tax coal washing credit.

Proponents' Testimony:

01:09:23 Bud Clinch, executive director, Montana Coal Council (MCC)

01:15:20 Chuck Denowh, Signal Peak Energy (SPE)

01:16:20 Bob Gilbert, Rosebud and Musselshell Counties

Opponents' Testimony:

01:17:46 Neal Ullman, Montana Conservation Voters (MCV)

Informational Testimony:

01:18:49 Lee Baerlocher, Department of Revenue (DOR)

Questions from Committee Members and Responses:

01:19:00 Sen. Barrett

01:19:29 Mr. Clinch, MCC

01:20:00 Mr. Baerlocher, DOR

01:20:23 Sen. Barrett

01:20:58 Mr. Baerlocher

01:21:06 Sen. Hoven

01:21:33 Rep. Berry

01:21:58 Sen. Malek

01:22:34 Rep. Berry

01:23:31 Sen. Malek

01:23:46 Rep. Berry

01:24:02 Sen. Malek

01:24:24 Mr. Baerlocher

01:24:44 Sen. Tutvedt

01:34:33 Sen. Barrett

01:34:46 Sen. Tutvedt

Closing by Sponsor:

01:25:05 Rep. Berry

01:27:29 Sen. Kaufmann took over duties of the chair.

HEARING ON SJR 26

Opening Statement by Sponsor:

01:27:32 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SJR 26, Study resolution on exempt and partially exempt residential property for seniors.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

01:30:07 Brian Olsen, Department of Revenue (DOR)

Questions from Committee Members and Responses:

01:30:30 Sen. Hoven
01:30:48 Mr. Olsen, DOR
01:31:23 Sen. Hoven
01:31:43 Sen. Tutvedt
01:32:19 Sen. Hoven
01:32:53 Sen. Tutvedt
01:33:32 Sen. Hoven
01:33:39 Sen. Tutvedt

Closing by Sponsor:

01:36:22 Sen. Tutvedt
01:36:48 Sen. Tutvedt resumed duties of the chair.

EXECUTIVE ACTION ON HB 114

01:37:38 Chairman Tutvedt

01:37:57 **Motion:** Sen. Thomas moved that **HB 114 BE CONCURRED IN.**

Discussion:

01:38:31 Jaret Coles, Legislative Services Division (LSD)
[EXHIBIT\(tas75a02\)](#)

01:41:45 Chairman Tutvedt
01:42:30 Sen. Barrett
01:43:34 Dan Whyte, chief legal counsel, Department of Revenue (DOR)
01:45:53 Lance Melton, executive director, Montana School Board Association (MTSBA)
01:47:53 Sen. Thomas
01:48:14 Mr. Melton, MTSBA

01:50:43 Sen. Thomas
01:51:11 Mr. Melton
01:51:37 Sen. Thomas
01:52:39 Mr. Melton
01:53:49 Sen. Thomas
01:53:59 Mr. Melton
01:54:30 Sen. Thomas
01:54:48 Mr. Whyte, DOR
01:57:24 Chairman Tutvedt
01:57:46 Mr. Whyte
01:58:45 Chairman Tutvedt
01:58:57 Mr. Whyte
01:59:57 Sen. Barrett
02:02:04 Mr. Whyte
02:02:44 Sen. Pomnichowski
02:03:24 Mr. Whyte
02:03:40 Sen. Pomnichowski
02:04:15 Mr. Whyte
02:04:43 Sen. Cohenour
02:05:21 Mr. Melton
02:06:53 Sen. Cohenour
02:07:51 Mr. Coles, LSD

EXHIBIT(tas75a03)

02:09:45 Mr. Melton
02:10:13 Mr. Whyte
02:11:09 Chairman Tutvedt
02:11:31 Mr. Whyte
02:12:45 Sen. Malek
02:13:55 Mr. Melton
02:15:35 Sen. Malek
02:16:19 Mr. Melton
02:17:37 Sen. Malek
02:18:02 Chairman Tutvedt
02:18:31 Mr. Whyte
02:19:30 Chairman Tutvedt
02:19:54 Mr. Melton
02:21:24 Sen. Barrett
02:24:47 Sen. Cohenour
02:27:16 Sen. Hoven
02:28:04 Chairman Tutvedt
02:28:42 Sen. Barrett
02:29:25 Mr. Melton
02:29:40 Sen. Barrett
02:30:30 Mr. Whyte
02:30:55 Chairman Tutvedt
02:31:31 Sen. Brown
02:32:32 Chairman Tutvedt
02:32:46 Sen. Pomnichowski
02:33:21 Sen. Malek

02:33:56 Sen. Barrett
02:35:14 Chairman Tutvedt
02:35:23 Sen. Cohenour
02:35:47 Chairman Tutvedt
02:36:01 Mr. Coles, LSD

02:36:58 **Motion:** Sen. Di. Barrett moved that **HB 114 BE AMENDED.**

Discussion:

02:37:31 Chairman Tutvedt
02:37:49 Sen. Barrett

02:39:03 **Vote:** Motion carried 9-3 by roll call vote with Sen. Cohenour, Sen. Hoven and Sen. Malek voting no. Sen. Blasdel voted by proxy.

02:40:09 **Motion:** Sen. Tutvedt moved that **HB 114 BE CONCURRED IN AS AMENDED.**

Discussion:

02:40:12 Sen. Barrett
02:42:03 Mr. Coles
02:42:23 Sen. Cohenour
02:42:58 Chairman Tutvedt

02:43:35 **Vote:** Motion carried 8-3 by roll call vote with Sen. Cohenour, Sen. Hoven and Sen. Malek voting no. Sen. Blasdel was excused. Sen. Barrett will carry the bill.

02:45:44 Chairman Tutvedt

EXECUTIVE ACTION ON HB 154

02:45:53 **Motion:** Sen. Thomas moved that **HB 154 BE CONCURRED IN.**

02:46:05 **Motion:** Sen. Kaufmann moved that **HB 154 BE AMENDED.**
EXHIBIT(tas75a04)

Discussion:

02:47:15 Chairman Tutvedt
02:47:23 Sen. Barrett
02:48:59 Sen. Brown
02:49:39 Sen. Kaufmann
02:50:15 Sen. Hoven
02:50:26 Chairman Tutvedt
02:50:48 Sen. Thomas
02:52:00 Sen. Cohenour
02:53:03 Chairman Tutvedt
02:53:31 Sen. Malek
02:54:03 Sen. Thomas

02:54:21 **Vote:** Motion failed 5-7 by roll call vote with Sen. Di. Barrett, Sen. Cohenour, Sen. Kaufmann, Sen. Malek and Sen. Pomnichowski voting aye. Sen. Blasdel voted by proxy.

02:56:24 Sen. Kaufmann
[EXHIBIT\(tas75a05\)](#)

02:56:58 **Motion:** Sen. Kaufmann moved that **HB 154 BE AMENDED.**

Discussion:

02:57:25 Chairman Tutvedt
02:57:38 Sen. Cohenour
02:58:33 Chairman Tutvedt

02:59:57 **Vote:** Motion failed 5-7 by roll call vote with Sen. Di. Barrett, Sen. Cohenour, Sen. Kaufmann, Sen. Malek and Sen. Pomnichowski voting aye. Sen. Blasdel voted by proxy.

03:00:45 **Substitute Motion/Vote:** Sen. Kaufmann made a substitute motion that **HB 154 BE TABLED.** Substitute Motion failed 5-7 by roll call vote with Sen. Di. Barrett, Sen. Cohenour, Sen. Kaufmann, Sen. Malek and Sen. Pomnichowski voting aye. Sen. Blasdel voted by proxy.

03:01:55 **Vote:** Motion carried 7-5 by roll call vote with Sen. Di. Barrett, Sen. Cohenour, Sen. Kaufmann, Sen. Malek and Sen. Pomnichowski voting no. Sen. Blasdel voted by proxy. Sen. Tutvedt will carry the bill.

EXECUTIVE ACTION ON SJR 26

03:03:34 **Motion/Vote:** Sen. Brown moved that **SJR 26 DO PASS.** Motion carried 11-0 by voice vote of those present and voting. Sen. Blasdel was excused.

ADJOURNMENT

Adjournment: 11:06 A.M.

Julie Ward, Secretary

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Additional Documents:

EXHIBIT([tas75aad.pdf](#))