

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN KARL WAITSCHIES**, on April 14, 2005 at 8:00 A.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Karl Waitschies, Chairman (R)
Rep. Gary Branae, Vice Chairman (D)
Rep. Bob Lake, Vice Chairman (R)
Rep. Norma Bixby (D)
Rep. Edward B. Butcher (R)
Rep. Margaret H. Campbell (D)
Rep. Jill Cohenour (D)
Rep. Tom Facey (D)
Rep. Wanda Grinde (D)
Rep. George G. Groesbeck (D)
Rep. Dennis Himmelberger (R)
Rep. Carol Lambert (R)
Rep. Dave McAlpin (D)
Rep. Jim Peterson (R)
Rep. Holly Raser (D)
Rep. John (Jack) W. Ross (R)
Rep. Scott Sales (R)
Rep. Bill Warden (R)
Rep. Brady Wiseman (D)

Members Excused: None.

Members Absent: Rep. John Balyeat (R)

Staff Present: Jeff Martin, 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 513, 4/7/2005; SB 521, 4/7/2005

Executive Action:

HEARING ON SB 521**Opening Statement by Sponsor:**

00:01:39 **SEN. JIM ELLIOTT (D), SD 7**, opened the hearing on **SB 521**, Alternative minimum corporate license tax.

Proponents' Testimony:

00:13:47 Gene Fenderson, Montana Progressive Labor Caucus
00:15:24 Linda Gryczan, Montana League of Women Voters

Opponents' Testimony:

00:16:42 George Olsen, Accountant, Galusha, Higgins & Galusha, Helena, also representing Montana Society of CPA's
00:20:18 Mike Green, Attorney, Crowley Law Firm, Helena, representing Montana Taxpayers Association
00:24:52 Sherm Anderson, representing Montana Logging Association and Montana Wood Products Association
00:29:24 Joe Mazurek, representing SemiTool Corporation

EXHIBIT (tah80a01)

00:33:44 Bill Simkins, former Tax Attorney, Bozeman, Simkins Lumber and Simkins Holdings
00:36:50 Steve Turkiewicz, President and CEO, Montana Bankers Association
00:41:09 Robert Hanson, White Sulphur Springs, State Vice President, Montana Farm Bureau Federation

00:42:58 **SEN. JOE BALYEAT, SD 34**

EXHIBIT (tah80a02)

00:44:12 Tom Ebzery, Nance Petroleum Corporation
00:48:31 Jerome Anderson, Attorney, Helena representing Encore Acquisition Company
00:50:42 Robert Fisher, Billings, Ballard Petroleum
00:51:44 Tom Ray, Plum Creek Timber
00:52:38 Frank Cote, representing American Health Insurance Plans and Farmers Union Mutual Insurance Company and speaking for: Jacqueline Lenmark, American Insurance Association and American Council of Life Insurers; Greg Van Horssen, State Farm Insurance Company; Larry Kibbie, PCIAA, ALPS; and Jon Metropoulos and Dwight Easton, Farmers Insurance Group
00:55:51 Barry "Spook" Stang, Executive Vice President, Montana Motor Carriers Association
00:58:33 Cary Hegreberg, Montana Contractors Association

Opponents' Testimony: (con't)

00:59:44 Nancy Schlepp, Montana Farm Bureau Federation also
speaking for Montana Grain Growers Association
01:00:18 Leo Berry, representing Utah Medical Insurance
Corporation
01:01:28 Bruce Spencer, Montana Automobile Dealers
Association
01:01:52 Mary Whittinghill, Montana Taxpayers Association
01:02:17 Riley Johnson, National Federation of Independent
Business
01:02:32 Brad Griffin, Montana Retail Association and
Montana Restaurant Association
01:02:51 Jeff Feiss, Montana Telecommunications Association
01:03:27 Webb Brown, Montana Chamber of Commerce

EXHIBIT (tah80a03)

01:04:10 Gail Abercrombie, Executive Director, Montana
Petroleum Association
01:04:31 Brad Dantic, representing ALPS Corporation

Informational Testimony:

01:05:32 Brian Stahley, Montana Department of Revenue

Questions from Committee Members and Responses:

01:05:57 **REP. BRANAE**
01:07:47 **REP. LAMBERT**
01:11:38 **REP. COHENOUR**
01:14:57 **REP. McALPIN**
01:16:30 **REP. ROSS**
01:19:45 **REP. LAKE**
01:20:58 **REP. BUTCHER**
01:22:05 **REP. LAKE**

Closing by Sponsor:

01:22:18 **SEN. JIM ELLIOTT** closed the hearing on **SB 521**.

01:30:58 Break

01:43:44 Resume

HEARING ON SB 513

Opening Statement by Sponsor:

01:45:14 **SEN. JIM ELLIOTT (D)**, **SD 7**, opened the hearing on
SB 513, Assure the accurate determination and
collection of Montana taxes.

Proponents' Testimony:

02:04:54 Dan Bucks, Director, Montana Department of Revenue
02:34:41 Evan Barrett, Governor's Office of Economic
Development

EXHIBIT (tah80a04)

02:40:35 Claudia Clifford, Associate Director, Advocacy
Chairman, Montana AARP

EXHIBIT (tah80a05)

02:43:31 Samantha Sanchez, Helena Attorney (retired)
02:47:35 Gene Fenderson, Montana Progressive Labor Caucus
02:48:49 Matt Theil, Attorney, Missoula
02:50:29 Linda Gryczan, Montana League of Women Voters
02:51:16 Eric Schiedemayer, speaking for Fair Share
02:52:08 Derek Goldman, self
02:53:33 Don Judge, representing Teamsters Local #190
02:54:45 Don Kinman, Executive Director, AFSCME
02:57:23 Neil Haight, self

Opponents' Testimony:

02:59:07 George S. Olsen, Accountant, Galusha, Higgins and
Galusha, Helena and speaking for Montana Society
of CPA's
03:04:58 Mike Green, Attorney, Crowley Law Firm also
speaking for Montana Taxpayers Association
03:18:26 Bill Gowan, Helena Abstract and Title Company
03:21:51 Collin Bangs, Realtor, Missoula, speaking for
Montana Association of Realtors

EXHIBIT (tah80a06)

03:28:45 **SEN. JOE BALLYEAT, SD 34**

EXHIBIT (tah80a07)

03:32:36 Bill Simkins, former Tax Attorney, Bozeman,
Simkins Lumber and Simkins Holdings
03:35:20 Riley Johnson, National Federation of Independent
Business
03:37:28 Robert Hanson, White Sulphur Springs, Cattle
Rancher, Vice President, Montana Farm Bureau
Federation
03:39:45 Barry "Spook" Stang, Executive Vice President,
Montana Motor Carriers Association
03:46:12 Ellen Engstedt, Montana Wood Products Association
and also speaking for Cory Hegreberg, Montana
Contractors Association

EXHIBIT (tah80a08)**EXHIBIT (tah80a09)****EXHIBIT (tah80a10)**

03:51:08 Jacqueline Lenmark speaking for the insurance
industry, Frank Cote, Farmers Union Mutual
Insurance, Brad Dantic, ALPS, and the American
Council of Life Insurance Companies

Opponents' Testimony: (con't)

03:56:49 Robert Sewell, First American Title Company
03:59:28 Greg Van Horsen, State Farm Insurance Company,
Farmers Mutual Insurance Group
04:01:20 Charles Brooks, representing Billings Area Chamber
of Commerce
04:01:46 Leo Berry, representing Utah Medical Insurance
Corporation
04:02:31 John Bloomquist, speaking for Montana Stock
Growers Association
04:04:03 Webb Brown, Montana Chamber of Commerce
04:04:12 Nancy Schlepp, Montana Farm Bureau Federation
04:05:34 Mary Whittinghill, Montana Taxpayers Association
04:05:51 Bruce Spencer, Helena Attorney, representing
Montana Automobile Dealers

Informational Testimony: None.

Questions from Committee Members and Responses:

04:07:12 **REP. McALPIN**
04:07:55 **REP. COHENOUR**
04:09:41 **REP. WARDEN**

Closing by Sponsor:

04:11:30 **SEN. JIM ELLIOTT** closed the hearing on **SB 513**.

04:17:07

ADJOURNMENT

Adjournment: 12:15 P.M.

REP. KARL WAITSCHIES, Chairman

DEBRA POLHEMUS, Secretary

KW/dp

Additional Exhibits:

EXHIBIT ([tah80aad0.PDF](#))