

MINUTES

MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN JIM ELLIOTT**, on March 31, 2005 at 8:03 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Jim Elliott, Chairman (D)
Sen. Jerry W. Black (R)
Sen. Jeff Essmann (R)
Sen. Kelly Gebhardt (R)
Sen. Kim Gillan (D)
Sen. Dan Harrington (D)
Sen. Sam Kitzenberg (R)
Sen. Ken Toole (D)

Members Excused: Sen. Jon Ellingson (D)
Sen. Trudi Schmidt (D)
Sen. Bob Story Jr. (R)

Members Absent: None.

Staff Present: Kathleen Ely, Committee Secretary
Lee Heiman, Legislative Branch

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: None.
Executive Action: SB 510; SB 514; SB 517; SB 520;
SB 521; SB 522

00:00:11

EXECUTIVE ACTION ON SB 510

Motion: SEN. TOOLE moved that SB 510 DO PASS.

Motion/Vote: SEN. TOOLE moved that SB 510 BE AMENDED. Motion carried unanimously by voice vote.

[EXHIBIT](#)(tas68a01)

00:01:46

SEN. JOHN ESP, SD 1

Motion/Vote: SEN. TOOLE moved that SB 510 DO PASS AS AMENDED. Motion carried 7-3 by roll call vote with SEN. ESSMANN, SEN. GEBHARDT, and SEN. GILLAN voting no. SEN. ELLINGSON and SEN. STORY voted aye by proxy. SEN. ELLINGSON and SEN. SCHMIDT voted no by proxy.

00:11:45

EXECUTIVE ACTION ON SB 517

Motion: SEN. ESSMANN moved that SB 517 DO PASS.

Motion/Vote: SEN. ESSMANN moved that SB 517 BE AMENDED. Motion carried unanimously by voice vote.

[EXHIBIT](#)(tas68a02)

Motion/Vote: SEN. ESSMANN moved that SB 517 DO PASS AS AMENDED. Motion carried 6-5 by roll call vote with SEN. ELLINGSON, SEN. ELLIOTT, SEN. HARRINGTON, SEN. SCHMIDT, and SEN. TOOLE voting no. SEN. STORY voted aye by proxy. SEN. ELLINGSON and SEN. SCHMIDT voted no by proxy.

SEN. TOOLE assumed the Chair.

00:26:24

EXECUTIVE ACTION ON SB 521

Motion: SEN. ELLIOTT moved that SB 521 DO PASS. Hearing recessed.

SEN. ELLIOTT resumed the Chair.

00:29:17

EXECUTIVE ACTION ON SB 520

Motion: SEN. ELLIOTT moved that SB 521 DO PASS. Hearing recessed.

SEN. TOOLE assumed the Chair.

00:32:24

EXECUTIVE ACTION ON SB 521

Motion: SEN. ELLIOTT moved that SB 521 DO PASS.

[EXHIBIT](#)(tas68a03)

[EXHIBIT](#)(tas68a04)

[EXHIBIT](#)(tas68a05)

Motion/Vote: SEN. ELLIOTT moved that SB 521 BE AMENDED. Motion carried unanimously by voice vote.

[EXHIBIT](#)(tas68a06)

[EXHIBIT](#)(tas68a07)

[EXHIBIT](#)(tas68a08)

Motion/Vote: SEN. ELLIOTT moved that SB 521 DO PASS AS AMENDED. Motion carried 7-4 by roll call vote with SEN. BLACK, SEN. ESSMANN, SEN. GEBHARDT, and SEN. STORY voting no. SEN. ELLINGSON and SEN. SCHMIDT voting aye by proxy. SEN. STORY voted no by proxy.

01:12:42

Recess

01:27:55

Reconvene

01:28:03

EXECUTIVE ACTION ON SB 520

Motion: SEN. ELLIOTT moved that SB 520 DO PASS.

[EXHIBIT](#)(tas68a09)

Motion/Vote: SEN. ELLIOTT moved that SB 520 BE AMENDED. Motion carried unanimously by voice vote.

Motion/Vote: SEN. ELLIOTT moved that SB 521 DO PASS AS AMENDED. Motion carried 7-4 by roll call vote with SEN. BLACK, SEN. ESSMANN, SEN. GEBHARDT, and SEN. STORY voting no. SEN. ELLINGSON

and SEN. SCHMIDT voted aye by proxy. SEN. STORY voted no by proxy.

02:05:34

EXECUTIVE ACTION ON SB 522

Motion: SEN. ELLIOTT moved that SB 522 DO PASS.

Motion/Vote: SEN. ELLIOTT moved that SB 522 BE AMENDED. Motion carried unanimously by voice vote. Motion carried 7-4 by roll call vote with SEN. BLACK, SEN. ESSMANN, SEN. GEBHARDT, and SEN. STORY voting no. SEN. ELLINGSON and SEN. SCHMIDT voted aye by proxy. SEN. STORY voted no by proxy.

02:09:03 SEN. STORY arrived.

02:10:42 Willie Duffield, Montana Association of Gas, Coal and Oil Companies

02:12:16 Jerome Anderson

02:23:47 Recess until 4:00 p.m.

4:10 p.m. Call to order

SEN. GEBHARDT present.

00:03:04 Stand at ease

00:05:14 Call to order

EXECUTIVE ACTION ON SB 522

Motion/Vote: SEN. ELLIOTT moved that SB 522 DO PASS AS AMENDED.

Motion: SEN. GEBHARDT made a substitute motion that SB 522 BE TABLED.

SEN. GEBHARDT withdrew his motion.

Motion/Vote: SEN. ELLIOTT moved that SB 522 BE AMENDED. Motion failed 5-6 by roll call vote.

00:07:03 Gail Ambercrombie, Gas and Oil Companies

00:17:39 Patrick Montalban

00:19:29 Jerome Anderson

00:22:10 Willie Duffield, Oil, Gas and Coal Counties

ADJOURNMENT

Adjournment: 4:54 A.M.

SEN. JIM ELLIOTT, Chairman

KATHLEEN ELY, Secretary

JE/ke

Additional Exhibits:

EXHIBIT ([tas68aad0.PDF](#))