

MINUTES OF THE MEETING
TAXATION COMMITTEE
MONTANA STATE SENATE

February 17, 1979

The thirtieth meeting of the committee was held on the above date in Room 415 of the State Capitol Building, Chairman Turnage presiding.

ROLL CALL: Roll call found all members present with the exception of Senators Brown and Roskie. Witnesses giving testimony are listed on attached Register.

CONSIDERATION OF SENATE BILL 481: Senator Regan presented her bill which she said would provide that justices, judges, court reporters would receive standard state travel expenses for work-related travel. She said the problem had been discovered in Finance and Claims Committee concerning the per diem of those justices, judges, court reporters. She said there was also new language she wished to be included in the bill, concerning reinsertion of words, "actual and necessary" and following her testimony, obtained such amendments. The Chairman called for additional proponents or opponents, and following, for questions from the committee. Mr. Abley answered several committee questions saying the amendment to the law was thought necessary as the people referred to should receive same per diem as other state employees.

Following the brief questioning, the hearing on SB481 was closed until such time as the proposed amendments could be obtained, Exh. #1.

CONSIDERATION OF SENATE BILL 477: Senator Hager introduced his bill and said it had been introduced at the request of the Inheritance Tax Division of the Department of Revenue. He then turned the remainder of the time for introduction of the bill to Mr. Pilon who explained some of the difficulties the state now has in collecting unclaimed property. He went through the bill and pointed out how the statutes govern the disposition of unclaimed property. The bill allows intangible interests in a business that is to be presumed abandoned, and subject to the present statutes.

Dennis Dunphy of the Attorney General's office also spoke in regard to the bill which he termed was a Uniform Act. He suggested suggested an amendment, see Exh. #2, attached. The amendment was adopted by the committee:

Sen. Towe Moved to Adopt Amendments, Exh. #2. The motion carried.

Senator Towe proposed another amendment: page 2, line 15, strike "neither" insert "not" and also on line 16, page 2, after "(1)" strike remainder of lines 16, 17, 18, 19, 20 and 21, and reletter subsequent subsections. This Amendment was Moved by Senator Towe and the Motion Carried.

The committee asked a number of questions as there were no other proponents or opponents, and it was learned that the proceeds from the sale of unclaimed properties goes into the state's foundation program for the schools and approximately \$130,000 to \$200,000 goes into the program yearly.

Another amendment was proposed by Senator Towe: page 7, after line 24. "Securities which have little or no value may be held by the Department of Revenue and sold at its discretion as provided in this section." This Amendment was Moved by Senator Towe. Motion was carried. Note for record a "No" vote was cast by Senator Manley.

Members discussed also putting the administration of this division into the Department of Revenue rather than with the Attorney Generals office. Following a general discussion, the hearing on SB477 was closed.

The members then had the amendments for SB481 for their further consideration. The amendments, see Committee Report attached, were discussed and adopted.

Senator Towe then Moved SB481, As Amended, Do Pass. The motion carried unanimously.

Senator Manley then Moved SB415, As Amended, Do Pass. The motion carried unanimously. The amendments had been adopted February 16.

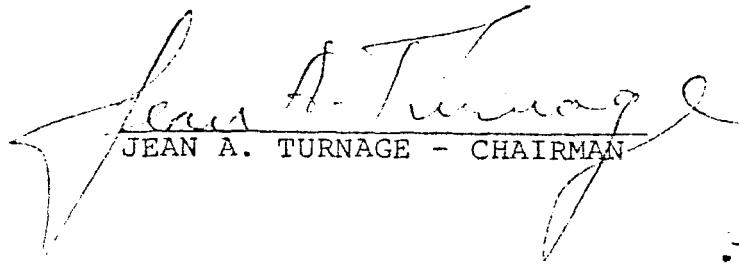
Senator Hager Moved SB222 Do Not Pass. The motion carried unanimously.

Senator Watt then Moved SB22 Be Tabled. The motion carried unanimously.

Senator Goodover Moved SB369 Do Pass. This motion carried unanimously.

Note in the voting the absence of Senators Roskie and Brown, both excused from the meeting today.

Following disposition of these bills, meeting was adjourned.



JEAN A. TURNAGE - CHAIRMAN

Date FEB. 17, 1979

ROLL CALL

SENATE TAXATION COMMITTEE

46th LEGISLATIVE SESSION - 1979

Each Day Attach to Minutes.

DATE FEB-17-1979

COMMITTEE ON TAXATION

15 477,481

VISITORS' REGISTER

477

Exh #2

1. Title, line 7.

Following: "LOCATED;"

Insert: "TO SUBJECT UNCLAIMED INTANGIBLE PERSONAL PROPERTY IN THE CUSTODY OF THE UNITED STATES TO THE PROVISIONS OF TITLE 70, CHAPTER 9, MCA;"

2. Title, line 13.

Following: "70-9-205,"

Insert: "70-9-207,"

Amends
Adopts

2-17

STANDING COMMITTEE REPORT

February 17, 1979

MR. President.....

We, your committee on..... **Taxation**.....

having had under consideration

Senate Bill No. 369

Respectfully report as follows: That..... **Senate Bill No. 369**.....

DO PASS.

STATE PUB. CO.
Helena, Mont.

GEORGE TURNAGE -

Chairman.

JK

STANDING COMMITTEE REPORT

Feb. 17 1979

MR. President.....

We, your committee on Taxation.....

having had under consideration..... Senate Bill No. 415

Respectfully report as follows: That..... Senate Bill No. 415,

introduced bill, be amended as follows:

1. Page 2, line 2.

Following: "50"

Insert: ", who have posted a performance bond conditioned on payment of all lawful taxes with the contracting entity"

And, as so amended,

DO PASS

J. A. T.

STANDING COMMITTEE REPORT

February 17 1979

MR. President

We, your committee on Taxation

having had under consideration Senate Bill No. 222

Respectfully report as follows: That Senate Bill No. 222,

DO NOT PASS

~~DO PASS~~

J.A.T.

STANDING COMMITTEE REPORT

Feb. 17 1970

MR. President

We, your committee on **Taxation**

having had under consideration **Senate** Bill No. **481**

Respectfully report as follows: That **Senate** Bill No. **481**,

introduced bill, be amended as follows:

1. Page 1, line 24.

Following: "(3)"

Strike: "Justices"

Insert: "Actual and necessary travel expenses of the justices"

2. Page 1, line 24.

Following: "shall"

Strike: "receive their"

Insert: "be the"

3. Page 1, line 25.

Following: "as"

Insert: "defined and"

4. Page 2, line 4.

Following: "35,000."

Strike: "Each"

Insert: "Actual and necessary expenses for each"

~~DO PASS~~

CONTINUED

February 17 1979

Page 2 Senate Bill 481 Taxation Committee

5. Page 2, line 5.

Following: "shall"

Strike: "receive his"

Insert: "be the"

Following: "as"

Insert: "defined and"

6. Page 2, line 14.

Following: "his"

Insert: "actual and necessary"

7. Page 2, line 15.

Following: "as"

Insert: "defined and"

8. Page 3, line 2.

Following: "his"

Insert: "actual and necessary"

9. Page 3, line 12.

Following: "his"

Insert: "actual and necessary"

10. Page 3, line 13.

Following: "as"

Insert: "defined and"

11. Page 3, line 23.

Following: "his"

Insert: "actual and necessary"

12. Page 4, line 25.

Following: "necessary"

Insert: "actual and necessary"

13. Page 4, line 25.

Following: "as"

Insert: "defined and"

14. Page 5, line 10.

Following: "treasurer."

Strike: "The"

Insert: "Actual and necessary expenses for the"

15. Page 5, line 11.

Following: "shall"

Strike: "receive his"

Insert: "be the"

Following: "as"

Insert: "defined and"

16. Page 5, line 18.

Following: "election."

Strike: "Travel"

STATE PUB. CO.
Helena, Mont.

CONTINUED

EXHIBIT

Page 3 Senate Bill 481 Taxation Committee

16. Continued -

Insert: "Actual and necessary travel"

Following: "as"

Insert: "defined and"

17. Page 6, line 2.

Following: "court."

Strike: "Travel"

Insert: "Actual and necessary travel"

Following: "as"

Insert: "defined and"

18. Page 6, line 3.

Following: "All"

Insert: "actual and necessary"

19. Page 6, line 9.

Following: "as"

Insert: "defined and"

20. Page 6, line 17.

Following: "his"

Insert: "actual and necessary"

21. Page 6, line 18.

Following: "as"

Insert: "defined and"

22. Page 7, line 2.

Following: "his"

Insert: "actual and necessary"

Following: "as"

Insert: "defined and"

23. Page 7, line 11.

Following: "diem"

Strike: "Travel"

Insert: "Actual and necessary travel"

Following: "as"

Insert: "defined and"

24. Page 7, line 25.

Following: "his"

Insert: "actual and necessary"

25. Page 8, line 1.

Following: "as"

Insert: "defined and"

26. Page 8, line 12.

Following: "and"

Insert: "actual and necessary"

Following: "as"

STATE PUB. CO. Insert: "defined and"

Helena, Mont.

CONTINUED

Chairman.

February 17 1979

Page 4 Senate Bill 431 Taxation Committee

27. Page 8, line 20
Following: line 19
Strike: Section 16 in its entirety
Renumber: subsequent section.

And, as so amended,

DO PASS

G.A.

JEAN A. TURGAGE - CHAIRMAN