

MINUTES OF THE MEETING  
TAXATION COMMITTEE  
MONTANA STATE SENATE

March 29, 1979

The sixty-first meeting of the Taxation Committee was called to order on the above date in Room 415 of the State Capitol Building with Chairman Turnage presiding.

ROLL CALL: Roll call found all members present. Witnesses presenting testimony are listed on attached Register.

CONSIDERATION OF HOUSE BILL 509: Representative Yardley introduced this bill which establishes the property tax rates determined after reappraisal according to the 'floating formula' in HB70 of the last session in the statutes. It also would provide a new formula for the period following the next appraisal. Following his brief presentation the Chairman called for other proponents or opponents and there being none, opened the meeting for questions. He said this bill was much like SB312 which went over to the House.

Following the brief discussion the hearing on HB509 was closed.

The members then discussed HB63 which had been amended and received a favorable vote by the committee, then was discussed again, with an eye to further amendments. They decided to move the bill out in its present form:

Senator McCallum Moved HB63 As Amended, Be Concurred In. The motion carried on an 8-3 roll call vote.

CONSIDERATION OF HOUSE BILL 297: Representative Pavlovich presented this bill which would include in Class 15 all land used for outdoor athletic and recreational purposes and owned by a nonprofit Montana corporation. Also appearing as a proponent was J.D. Lynch, for the Montana Golf Association. He said in some areas taxes had gone up considerably after reappraisal and this bill would help establish some sort of equity for the golf courses, trap shoot areas and similar, nonprofit organizations. Also appearing for that group was George Anderson; he distributed testimony to illustrate his argument that some areas had been reappraised excessively and had suffered inordinately high tax assessments as a consequence. His charts are listed on Exh. #1, attached, showing tax increase, taxable values after reappraisal and percentage of increase.

Mr. Delano of the Montana Trap Shooting Association was also a proponent and distributed a letter of support representing the various trap and skeet shooting organizations in the state, see Exh. #2, attached. Mr. Sevener, Mr. Apostel, Mr. Dickinson and Mr. Ashley also spoke as proponents of the bill, testifying to the increase in taxes golf clubs and trap shoot areas were being forced to pay. The Chairman called for other proponents of the bill, and following, for questions from the committee.

The discussion brought out the opinion that the term 'non-profit'

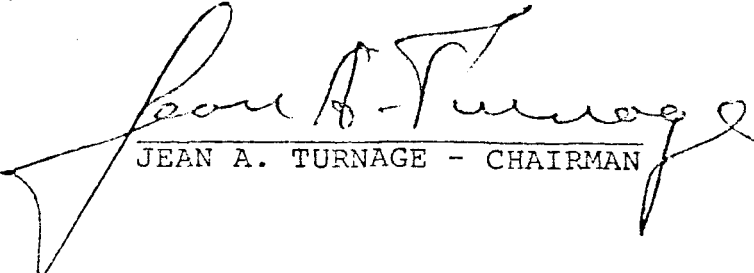
as used in the bill should be more clearly defined. Also, they felt if the bill should be considered favorably by the committee that it should also specify outdoor nonprofit recreation facilities, eliminating such recreations as are operated for a profit. Mr. Groff of the Department of Revenue said that department was neutral; that he felt this was a policy decision for the committee as the effect of such legislation would not be great. Mr. Lynch said Mr. Mizner and Mr. Zinnecker had opposed the bill in the House but after the bill was amended they apparently had no objection. Mizner and Zinnecker represent cities and towns and the county association. Mike Stephens said they would oppose any negative effect local governments, however if the tax remained near what it had been they would have no objection. Following additional discussion, hearing on HB297 was closed.

CONSIDERATION OF HOUSE BILL 73: Though this bill had previously been presented to the committee, Researcher Terry Cohea discussed the language of the bill and its similarity to the federal law. The members of the committee asked several questions and following their discussion, disposed of the bill:

Senator Severson Moved HB73 Be Tabled. Motion carried.

The committee then directed their attention to HB630, also previously heard. Amendments were distributed and discussed. One of the points discussed at length was their desire that the state, if it obtained a home by lien for nonpayment of taxes, that it dispose of such property within a specified time through bid or similar method. Such amendments will be redrawn and presented to the committee for their consideration.

The meeting was then adjourned.

  
JEAN A. TURNAGE - CHAIRMAN



SENATE COMMITTEE TAXATION

①

Date 3-29-79 House Bill No. 63 Time 8:00

NAME	YES	NO
SEN. GOODOVER (Vice Chairman)	X	
SEN. BROWN	X	
SEN. HAGER	X	
SEN. MANLEY		X
SEN. MANNING		X
SEN. McCOLLUM	X	
SEN. NORMAN	X	
SEN. ROSKIE <i>absent</i>		
SEN. SEVERSON		X
SEN. TOWE	X	
SEN. WATT	X	
CHAIRMAN TURNAGE	X	

8 3

Nita Fjeseth  
Secretary

Jean A. Turnage  
Chairman

Motion: As Amended  
Be Carried

(include enough information on motion--put with yellow copy of committee report.)

PROPERTY TAX - GOLF COURSES  
 SELECTED CITIES - MONTANA

*Exp. #1*

	<u>BUTTE</u>	<u>MISSOULA</u>	<u>HELENA</u>	<u>LAUREL</u>	<u>MILES CITY</u>
<b>Prior Appraisal - 1977</b>					
Land	\$ 23,570	\$110,995	\$ 22,188	\$ 5,000	\$ 6,510
Buildings	219,000	106,025	63,150	25,000	39,775
<b>New Appraisal - 1978</b>					
Land	\$ 223,000	\$747,837	\$207,605	\$806,820	\$ 9,450
Buildings	1,267,270	169,158	86,814	286,380	169,535
Equipment	130,760				13,427
<b>Assessed Values</b>					
Prior 1977	\$ 29,108	\$ 26,042	\$ 10,241	\$ 9,000	\$ 5,818
1978 - .0855	153,570	78,403	25,173	93,468	17,988
1978 - .0425	89,488	38,972	12,513	46,461	10,292
<b>Taxes Paid</b>					
1975	\$ 13,656	\$ 6,049	\$ 3,052	\$ 1,640	\$ 1,260
1976	12,856	8,939	2,827	1,676	1,372
1977	13,164	8,477	3,089	1,638	1,367
<b>Estimated Taxes</b>					
1978 Assessed	\$ 47,005	\$ 18,373	\$ 6,038	\$ 17,074	\$ 4,390
1978 4.25% Class 15	27,383	9,743	3,128	8,363	2,573
<b>Percentage Increase in Taxes</b>					
1978 Assessed	257%	117%	95%	942%	221%
1978 4.25% Class 15	108%	15%	1%	410%	88%

# MONTANA STATE TRAPSHOOTING ASSOCIATION

## OFFICERS and DIRECTORS 1978-1979

John L. Delano  
Secretary-Treasurer  
P.O. Box 1172  
Helena, Montana 59601

President:  
Eugene H. Clawson, Jr.  
Missoula

Vice President:  
C. R. Hunter  
Missoula

### Board:

RE: HB297  
29 March 1979

District I  
J. D. Mayhew  
Kalispell

II  
Cameron Johnston  
Missoula

III  
Les Engbretson  
Hamilton

TO: Senator Jean Turnage, Chairman  
Senate Taxation Committee

IV  
Frank Moore  
Sheridan

and members of the Committee

V  
Charles Reed  
Butte

VI  
Richard McCord  
East Helena

The Montana State Trapshooting Association is composed  
of the following clubs:

VII  
Earl Hepler  
Chinook

1. Anaconda Trap Club
2. Billings Trap Club
3. Bozeman Trap Club
4. Butte Trap & Skeet Club
5. Dillon Trap Club

VIII  
Bill Rice  
Great Falls

6. Glasgow Trap Club
7. Great Falls Trap Club
8. Hamilton Trap Club

IX  
Doug Drysdale  
Bozeman

9. Havre Trap Club
10. Helena Trap Club
11. Huntley Trap Club

X  
Arnold Ecker  
Coffee Creek

12. Kalispell Trap Club
13. Lewistown Trap Club
14. Missoula Trap & Skeet Club

XI  
Paul Larimer  
Billings

15. Shelby Trap Club
16. Sheridan Trap Club

XII  
Robert Kane  
Plentywood

Immediate Past President  
U. S. Cowan  
Billings

### Delegate to the ATA:

Ted Renfro  
Dillon

Exh. #2

PROPOSED AMENDMENTS TO HOUSE BILL 630

# 3

1. Page 2, line 23.

Following: "two"

Strike: "fee"

2. Page 3, line 5.

Following: "treasurer"

Insert: "for the calendar year 1979 and subsequent years"

3. Page 6, line 5.

Following: "clerk"

Insert: "and recorder"

4. Page 7, line 5.

Following: "dies"

Insert: ", in the event ownership is vested in more than one qualified member of the household the balance of the account is not due until 60 days after the demise of the surviving owner or owners"

5. Page 7, line 19.

Following: "estate of the"

Insert: "lasting surviving"

Following: "owner"

Strike: "and"

Insert: "but need not"

6. Page 7, line 20.

Strike: "must"

7. Page 7, line 24.

Following: "clerk"

Insert: "and recorder"

8. Page 8, line 3 and 4.

Following: "taxes" on line 3

Strike: the remainder of line 3 and 4 through "15-16-401"

Insert: "shall have the same priority as any other lien"

9. Page 8, line 8.

Following: "lien."

Insert: "Enforcement shall be by writ and sheriff's sale that must conform to the provisions of Title 25, chapter 13, parts 3, 4, 7 and 8. Enforcement of the lien shall apply only to seizure and sale of real property and may not extend to seizure and sale of any personal property. The state is not entitled to a deficiency judgment on account of such lien."

Date MAR. 29, 1979

ROLL CALL

SENATE TAXATION COMMITTEE

46th LEGISLATIVE SESSION - 1979

NAME	PRESENT	ABSENT	EXCUSED
SEN. GOODOVER (Vice Chairman)	✓		
SEN. BROWN	✓		
SEN. HAGER	✓		
SEN. MANLEY	✓		
SEN. MANNING	✓		
SEN. McCOLLUM	✓		
SEN. NORMAN	✓		
SEN. ROSKIE			✓
SEN. SEVERSON	✓		
SEN. TOWE	✓		
SEN. WATT	✓		
CHAIRMAN TURNAGE	✓		

Each Day Attach to Minutes.