

MINUTES

MONTANA SENATE
54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By CHAIRMAN GERRY DEVLIN, on April 5, 1995, at
8:00 a.m.

ROLL CALL

Members Present:

Sen. Gerry Devlin, Chairman (R)
Sen. Mike Foster, Vice Chairman (R)
Sen. Mack Cole (R)
Sen. Delwyn Gage (R)
Sen. Lorents Grosfield (R)
Sen. John G. Harp (R)
Sen. Dorothy Eck (D)
Sen. Barry "Spook" Stang (D)
Sen. Fred R. Van Valkenburg (D)

Members Excused: None

Members Absent: None

Staff Present: Jeff Martin, Legislative Council
Renée Podell, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: HB 363, HB 591
Executive Action: HB 598, HB 565, HB 524, HB 591

HEARING ON HB 591

Opening Statement by Sponsor:

REP. BILL WISEMAN, HD 41, Malmstrom, presented handouts for HB 591. EXHIBIT 1 AND 2. He explained the fiscal note is meaningless because the House took the money out. He gave an example of a trauma accident. REP. WISEMAN said this bill puts together structure so the people who are the first responders on an accident are equipped and trained to get the trauma victim to the hospital as quickly as they can.

Proponents' Testimony:

Stuart Reynolds, M.D., submitted an outline of testimony and discussed trauma as a needless tragedy. EXHIBIT 3.

John Middleton, M.D., presented an outline of testimony on trauma care in Montana. EXHIBIT 4.

Robert Hurd, M.D., presented written testimony. EXHIBIT 5.

Susan O'Leary, Trauma Coordinators throughout Montana, submitted written testimony. EXHIBIT 6.

Gloria Paladichuk, Richland Development, spoke in support of this legislation.

Sharon Dieziger, Montana Nurses' Association, Member of the Statewide Trauma Task Force, presented written testimony. EXHIBIT 7.

Gary Haigh, Hospital Care Provider, Montana Emergency Medical Services Association, submitted written testimony. EXHIBIT 8.

John Gervais, President, Montana Emergency Medical Services Association, presented written testimony. EXHIBIT 9.

Joe Hansen, EMT, strongly urged support for HB 591.

Charles Rinber, M.D., Montana Committee on Trauma, stated Montana has a serious problem with trauma care and urged passage of this bill.

Jim DeTienne, Montana Department of Health, urged support for this bill.

Tim Bergstrom, Montana State Firemen Association, stated increased care is needed for trauma cases and urged support for HB 591.

Dana Lovitt, Montana Medical Association, urged support for this legislation.

Steve Yeakel, Montana Council for Maternal and Child Health, presented written testimony. EXHIBIT 10.

Bob Robinson, speaking on behalf of Governor, urged support for HB 591.

Adele Borchardt, R.N., Columbus Hospital Trauma Coordinator, and Brian Christensen, R.N., Columbus Hospital Emergency Department Supervisor, presented written testimony. EXHIBIT 11.

Opponents' Testimony:

Russell Hill, Montana Trial Lawyers Association, stated the association is not opposed to the general concept of the bill or most of the bill, however, he said Section 10 of the bill in regard to confidentiality is being opposed to. Mr. Hill

acknowledged this provision is not consumer friendly. He highlighted problem areas in the bill.

Informational Testimony:

None

Questions From Committee Members and Responses:

SEN. DELWYN GAGE questioned Dr. Reynolds in regard to much of the testimony referring to preventing trauma accidents and asked him what the quality of life, percentage of prevention, and at what cost would he estimate trauma care could provide. Dr. Reynolds said currently a certain number of people die, some of whom could be saved. {Tape: 1; Side: B; Comments: Tape Turned.} He stated there is a cost because people will be disabled, however, the riskability could be reduced.

SEN. GROSFIELD commented in regard to Page 10, Lines 14-16 stating the language is very specific and it doesn't exclude standards developed by the Regional Trauma Care Advisory Committee and asked Dr. Reynolds if that was the intention or was the intention to exempt. Dr. Reynolds said they want to develop guidelines which will be actions taken to provide the best possible care. SEN. GROSFIELD asked Dr. Reynolds to comment on releasing data to the patient relating to the patient. Dr. Reynolds said the information available in the patient record is accessible to the patient. He said there needs to be some element of confidentiality when there is a disagreement in regard to quality of care or appropriateness of care. SEN. GROSFIELD clarified that regardless of what the bill says the patient can have access to his records. Dr. Reynolds agreed.

Closing by Sponsor:

REP. WISEMAN gave an example of the difference between a state with a trauma care system and a state without a system. He stated there were no opponents in the House Committee hearing. He urged passage of this legislation.

HEARING ON HB 363

Opening Statement by Sponsor:

REP. EMILY SWANSON, HD 30, Bozeman, presented HB 363 on behalf of the Department of Revenue. REP. SWANSON submitted EXHIBIT 12. She stated the primary goal of this bill was to take motor vehicle taxes and simplify them, increase the efficiency of the licensing process, change current methods, and retain revenue neutrality.

Proponents' Testimony:

Mary Whittinghill, Administrator, Property Assessment Division, Department of Revenue (DOR), presented the history of why a group of employees from the Department's of Revenue, Justice, Transportation, Montana Treasurer's Association, and Montana Association of Counties thought this bill was important. She stated currently people have to make two stops when licensing a vehicle. She attested there are approximately 700,000 vehicles in the state valued by the Department of Justice, and under this system 10% don't get revalued by computer when the white card is sent in the mail to the vehicle owner. **Ms. Whittinghill** emphasized this bill goes a long ways towards tax simplification. She explained the bill puts trailers on a fee based on age and weight.

Dean Roberts, Administrator, Motor Vehicle Division, Department of Justice, went on record in support of this bill.

Bob Gilbert, Montana Tow Truck Association, commented he supports this bill only with the amendments.

Dave Galt, Administrator, Motor Carriers Division, Department of Transportation, attested he supports this bill with the amendments.

Dan Wirak, Mergenthaler's Moving and Storage, professed support for this legislation only with the amendments.

Ben Havdahl, Motor Carriers Association, went on record in support of HB 363 only with the amendments.

Russ Ritter, Western Montana Rail Link, announced support for this legislation only with the amendments.

Carl Schweiter, Montana Contractor's Association, expressed support for HB 363 only with the amendments.

Cort Harrington, Montana County Treasurer's Association, acknowledged this is an important bill which will streamline the registration process. He explained the association supports the concerns of the trucking industry and supports the amendments.

Stuart Doggett, Manufactured Housing and Dealer's Association, declared support for the amendments in general.

Arletta Derleth, Office Supervisor, Regional 9, Property Assessment Division, announced this bill offers customer satisfaction, more efficiency and better utilization of staff.

Opponents' Testimony:

SEN. CHARLES "CHUCK" SWYSGOOD, SD 17, professed opposition for the bill as presented today. He stated the bill is presented as

being revenue neutral but without amendments it is anything but revenue neutral. He commented on the handout presented by **REP. SWANSON** in regard to tax being paid on the manufacture's suggested retail price. He explained he doesn't buy a truck at the manufactured suggested retail price. He voiced concern with no one asking the trucking industry to be involved in the meetings of the task force to put this bill together.

Dennis Burr, Montana Taxpayers Association, stated there must be a good idea other than administrative convenience to make a change in the taxation of motor vehicles. He said people are satisfied with the process. **Mr. Burr** said he can't see any reason to do this. He acknowledged there is a \$43 million price tag to just move things around a little bit. He announced this bill is the best opportunity this session to turn a horse into a camel.

Dorothy Cody, Roosevelt County, claimed the full purpose of this bill is to close Assessor Offices. She said this isn't revenue neutral, have you ever seen anything at the legislature that is revenue neutral. She announced currently there are no programs in place in the Justice Department to handle this system. **Ms. Cody** said with the long list of amendments presented it is obvious this bill wasn't put together well to begin with. She urged the committee to vote no on HB 363.

Gail Jones, Powell County Commissioners, concurred with **Ms. Cody**.

Informational Testimony:

None

Questions From Committee Members and Responses:

SEN. FRED VAN VALKENBURG questioned **REP. SWANSON** in regard to Page 4 of the handout commenting 51% of total taxes collected come from vehicles that are 2 to 5 years old. He explained the House of Representatives thought it was inappropriate to add 90¢ to the cost of a vehicle license to fund a trauma care system, yet, they apparently think it is alright to increase the cost of motor vehicle licenses for over half the cars in the State of Montana by \$30.00. **SEN. VAN VALKENBURG** asked **REP. SWANSON** to explain that logic. **REP. SWANSON** stated there was enough feeling in the House of Representatives that the spike that occurs in the second year was a problem, so the tax burden was shifted from the first year to five year old vehicles.

SEN. VAN VALKENBURG commented each time the legislature meets the motor vehicle taxes are changed in some form.

SEN. FOSTER asked **Ms. Wittinghill** if she put together the advisory committee. **Ms. Wittinghill** stated the advisory committee was part of HB 50 appointed by the Governor because of

a lot of requests and suggestions the DOR received from taxpayers.

CHAIRMAN DEVLIN asked Ms. Wittinghill how long she has been working with the trucking industry on this issue. Ms. Wittinghill responded, "since the beginning of the session". CHAIRMAN DEVLIN asked why amendments were brought in today that the trucking association has not seen. Ms. Wittinghill stated the information couldn't be collected sooner due to SB 49 which was passed this session allowing for staggered registration of interstate motor vehicles.

SEN. FOSTER commented the information could have been collected sooner if the trucking association was included in the beginning. He further commented taxpayers should have been involved in the process. He declared more thought needs to go into this proposed change.

{Tape: 2; Side: A; Comments: Tape Turned.}

SEN. GROSFIELD questioned Ms. Wittinghill in regard to Page 4 of the handout appearing as though passenger cars in every category and every age are going up and trucks, vans and everybody else are going down why doesn't the fiscal note show higher revenue. Ms. Wittinghill stated the trucks on this handout don't include the heavy trucks, just the light passenger trucks. SEN. GROSFIELD questioned why the fiscal note doesn't reflect savings in the Assessor's Office due to a proposed one stop method simplification. Ms. Wittinghill responded due to HB 50 there was a loss of 45 FTE's and as a result of the number of consolidations which took place, performance statistics show the employees are operating under a strain of too much workload for too few employees.

Closing by Sponsor:

REP. SWANSON declared County Treasurer's throughout the state endorsed this concept and the bill. She professed this is a bill worth considering. She stated a lot of work has gone into it.

EXECUTIVE ACTION ON HB 565

Motion/Vote: SEN. GAGE MOVED amendments (hb056501.ajm) to HB 565. MOTION CARRIED UNANIMOUSLY.

Motion/Vote: SEN. GAGE MOVED HB 565 BE CONCURRED IN AS AMENDED. MOTION CARRIED 8 - 1 WITH SEN. HARP VOTING IN OPPOSITION.

EXECUTIVE ACTION ON HB 524

Motion: SEN. STANG MOVED AMENDMENTS TO HB 524 (hb052401.ajm).

Discussion: SEN. FOSTER questioned SEN. STANG in regard to a Canadian wanting to purchase liquor in an agency liquor store

will he pay a sales tax in accordance with the proposed amendments. **SEN. STANG** responded, "Yes".

SEN. GAGE asked **SEN. STANG** about the noticing requirements saying what the money will be used for. **SEN. STANG** answered the current law requires the notice to state what will be taxed. **SEN. STANG** referred to Page 2, Subsection (d).

CHAIRMAN DEVLIN asked **SEN. STANG** if a person goes into a state liquor store to purchase a bottle will he have to pay a luxury tax on that bottle. **SEN. STANG** under this bill a person off the street who purchases liquor will have to pay a tax.

Vote: MOTION CARRIED 8 - 1 WITH **SEN. DEVLIN** VOTING IN OPPOSITION.

Motion: **SEN. FOSTER** MOVED TO AMEND HB 524 BY INSERTING A ZERO ONTO THE 55,000.00 NUMBER IN THE FISCAL NOTE.

Discussion: **SEN. STANG** stated this bill will die with that amendment. He emphasized the importance of this bill passing explaining he has seen what the resort tax can do for a town.

CHAIRMAN DEVLIN said the bill has already been expanded considerably with talk of secondary rather than primary.

Vote: MOTION FAILED 4 - 5 on roll call vote.

Motion: **SEN. VAN VALKENBURG** MOVED AN AMENDMENT ON PAGE 2, LINE 6, STRIKE THE LANGUAGE "OR THE SECONDARY" FROM THE BILL.

Discussion: **SEN. VAN VALKENBURG** commented the reason he is offering the amendment is because the addition of language making the tourism nature of the bill a secondary portion of the economic well being really undermines what was the reason the legislature originally gave the authority to resort communities to have this particular kind of tax. He explained the reason the authority was given was because the communities did not have a permanent tax base. He stated the communities had an influx in either the summer or the winter putting a drain on their services. **SEN. VAN VALKENBURG** said if this is opened up to where it becomes a secondary source the legislature, in essence, is saying this tax should be available to every community in the State of Montana and that is poor tax policy. He stated it undermines overall tax reform and it is deceitful in terms of what Montanans expect in the application of what amounts to a general sales tax. He acknowledged Montanans voted 3 to 1 against a general sales tax a little over a year ago.

SEN. GROSFIELD declared anything can be put in this bill, however, there is still a vote held at the local level. He commented he opposes the amendment.

SEN. STANG attested he opposes the amendment. He said a lot of these towns, although resort towns, 85% of the people living in the town are on retirement income.

SEN. FOSTER remarked he supports SEN. VAN VALKENBURG'S motion based on current employment. He stated the issue is tax policy and it should be set by the Montana Legislature.

SEN. ECK responded the legislature for years has advocated it's tax policy responsibilities as far as local government goes.

SEN. GAGE said there are many areas who have problems with their structure, however, just because they are located where they are and aren't tourist attractions they don't have this option.

Vote: MOTION CARRIED 5 - 4 on a roll call vote.

Motion: SEN. STANG MOVED HB 524 BE CONCURRED IN AS AMENDED.

Discussion: SEN. FOSTER announced there is a grant or loan going to Whitefish in HB 8 for a water system. He stated the streets will be torn up real soon. He stressed the people who live in Whitefish already have very high property taxes. SEN. FOSTER said the stack of letters he got were from the residents of Whitefish who don't want this bill.

SEN. STANG affirmed a contribution method will not work. He said this tax has worked well in St. Regis. He insisted this is a win, win situation.

SEN. GAGE maintained there must be a broad base tax in Montana, there just can't be small pockets of taxes.

Vote: MOTION CARRIED 5 - 4 on a roll call vote.

EXECUTIVE ACTION ON HB 591

Motion: SEN. FOSTER MOVED HB 591 BE CONCURRED IN.

Discussion: SEN. GROSFIELD said this is a good bill, however, it needs some fixing and there isn't any funding. He stated there is a federal grant from highway safety funds which may be able to be used.

CHAIRMAN DEVLIN told SEN. GROSFIELD if he wants to work on a mechanism for funding it can be amended on the Senate floor.

SEN. FOSTER commented before the hearing started he visited with Drew Dawson about funding. He said the providers will put up the money.

Motion/Vote: SEN. GROSFIELD MOVED TO STRIKE "OR" AND INSERT "AND" ON PAGE 9, LINE 22. MOTION CARRIED UNANIMOUSLY.

{Tape: 2; Side: B; Comments: Tape Turned.}

Motion: SEN. GROSFIELD MOVED TO AMEND ON PAGE 10, LINE 14, INSERT "OR BY THE REGIONAL TRAUMA CARE ADVISORY COMMITTEE PURSUANT TO SECTION 9".

SEN. VAN VALKENBURG MOVED A SUBSTITUTE MOTION TO STRIKE LINES 14 - 16 OF SUBSECTION 8 ON PAGE 10.

Discussion: SEN. VAN VALKENBURG stated he is suggesting the amendment because clearly standards or protocols that are adopted by the Department of Health should be admissible as evidence in a negligence action.

SEN. ECK agreed with SEN. VAN VALKENBURG in regard to the prohibition being used in the bill.

SEN. FOSTER said this bill should have gone into the Judiciary Committee because we aren't all attorneys in this committee. He said this bill was received late and went through House Taxation which is why it is in Senate Taxation Committee.

Vote: MOTION CARRIED 6 - 1 ON SEN. VAN VALKENBURG'S AMENDMENT WITH SEN. FOSTER VOTING IN OPPOSITION TO THE MOTION.

Motion: SEN. FOSTER MOVED HB 591 BE CONCURRED IN AS AMENDED.

Discussion: SEN. GAGE stated he commends the people who are working in this area, however, he said they can do all of this without the state being involved.

Vote: MOTION CARRIED 6 - 2 on roll call vote.

EXECUTIVE ACTION ON HB 598

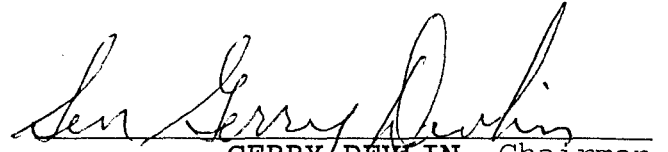
Motion: SEN. VAN VALKENBURG MOVED HB 598 BE CONCURRED IN.


Motion/Vote: SEN. ECK MOVED TO AMEND HB 598 LINE 26, INSERTING LANGUAGE REGARDING MAILING NOTICE TO BOTH PARTIES. MOTION CARRIED UNANIMOUSLY.

Motion/Vote: SEN. VAN VALKENBURG MOVED HB 598 BE CONCURRED IN AS AMENDED. MOTION CARRIED 6 - 3 WITH SEN. DEVLIN, SEN. FOSTER, AND SEN. HARP VOTING IN OPPOSITION TO THE MOTION.

ADJOURNMENT

Adjournment: 11:35 a.m.


GERRY DEVLIN, Chairman


RENEE J. PODELL, Secretary

GD/rp

MONTANA SENATE
1995 LEGISLATURE
TAXATION COMMITTEE

ROLL CALL

DATE _____

April 5, 1995

Presenting
a bill to
arrived
9:30 A.M.

SEN:1995
wp.rollcall.man
CS-09

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
April 5, 1995

MR. PRESIDENT:

We, your committee on Taxation having had under consideration HB 565 (third reading copy -- blue), respectfully report that HB 565 be amended as follows and as so amended be concurred in.

Signed: 
Senator Gerry Devlin, Chair

That such amendments read:

1. Page 1, line 24.

Following: "YEARS."

Insert: "After 6 years, the election to have nonexempt livestock assessed on the average inventory basis remains in effect unless the owner otherwise notifies the department before February 1."


2. Page 4, line 14.


Following: "livestock"

Insert: "assessed under 15-24-902(2)"

-END-

 Amd. Coord.

 Sec. of Senate

 Senator Carrying Bill

781323SC.SRF

SENATE STANDING COMMITTEE REPORT

Page 1 of 3
April 5, 1995

MR. PRESIDENT:

We, your committee on Taxation having had under consideration HB 524 (third reading copy -- blue), respectfully report that HB 524 be amended as follows and as so amended be concurred in.

Signed: 
Senator Gerry Devlin, Chair

That such amendments read:

1. Title, lines 6 and 7.

Strike: "PROVIDING" on line 6 through "STORES" on line 7

Insert: "; EXCLUDING GOODS AND SERVICES SOLD FOR RESALE FROM THE
RESORT TAX; REQUIRING NOTICE PRIOR TO THE ELECTION OF THE
GOODS AND SERVICES SUBJECT TO THE RESORT TAX"

2. Title, line 8.

Strike: "AND"

Insert: ", "

Following: "7-6-4463"

Insert: ", AND 7-6-4464"

Following: "IMMEDIATE"

Insert: "AN IMMEDIATE"

3. Title, line 9.

Strike: "DATES"

Insert: "DATE"

4. Page 2, line 6.

Strike: "or THE secondary"

5. Page 2, lines 11 through 25.

Strike: section 2 in its entirety

Insert: "**Section 2.** Section 7-6-4463, MCA, is amended to read:


"7-6-4463. Limit on resort tax rate -- goods and services subject to tax. (1) The rate of the resort tax must be established by the election petition or resolution provided for in 7-6-4464, but the rate may not exceed 3%.

(2) (a) The resort tax is a tax on the retail value of all goods and services sold, except for goods and services sold for resale, within the resort community or area by the following establishments:

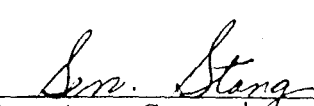
(i) hotels, motels, and other lodging or camping facilities;

(ii) restaurants, fast food stores, and other food service establishments;

(iii) taverns, bars, night clubs, lounges, and other public

 Amd. Coord.

SR Sec. of Senate


Senator Carrying Bill

781253SC.SRF

establishments that serve beer, wine, liquor, or other alcoholic beverages by the drink; and

(iv) destination ski resorts and other destination recreational facilities.

(b) Establishments that sell luxuries ~~must~~ shall collect a tax on such luxuries."

Section 3. Section 7-6-4464, MCA, is amended to read:

"7-6-4464. Resort tax -- election required -- procedure -- notice. (1) A resort community or area may not impose or, except as provided in 7-6-4465, amend or repeal a resort tax unless the resort tax question has been submitted to the electorate of the resort community or area and approved by a majority of the electors voting on the question.

(2) The resort tax question may be presented to the electors of:

(a) a resort community by a petition of the electors as provided by 7-1-4130, 7-5-132, and 7-5-134 through 7-5-137 or by a resolution of the governing body of the resort community; or

(b) a resort area by a resolution of the board of county commissioners, following receipt of a petition of electors as provided in 7-6-4468.

(3) If a resort area is in more than one county, the resort tax question must be presented to and approved by the electors in the resort area of each county.

(4) The petition or resolution referring the taxing question must state:

(a) the rate of the resort tax;

(b) the duration of the resort tax;

(c) the date when the tax becomes effective, which date may not be earlier than 35 days after the election; and

(d) the purposes that may be funded by the resort tax revenue.

(5) Upon receipt of an adequate petition, the governing body may:

(a) call a special election on the resort tax question; or

(b) have the resort tax question placed on the ballot at the next regularly scheduled election.

(6)(a) Before the resort tax question is submitted to the electorate of a resort community or area, the governing body of the resort community or the board of county commissioners in the county in which the resort area is located shall publish notice of the goods and services subject to the resort tax, in a newspaper that meets the qualifications of subsection (6)(b). The notice must be published twice, with at least 6 days separating publication. The first publication must be no more than 30 days prior to the election and the last no less than 3 days prior to the election.

(b) The newspaper must be:

(i) of general, paid circulation with a second-class mailing permit;

(ii) published at least once a week; and

(iii) published in the county where the election will take place.

~~(6)~~(7) The question of the imposition of a resort tax may not be placed before the electors more than once in any fiscal year.""

Renumber: subsequent section

6. Page 2, lines 27 and 28.

Strike: "DATES" on line 27

Insert: "date"

Strike: "(1)" on line 27 through "ARE" on line 28

Insert: "[This act] is"

7. Page 2, lines 29 and 30.

Strike: subsection (2) in its entirety

-END-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
April 6, 1995

MR. PRESIDENT:

We, your committee on Taxation having had under consideration HB 598 (third reading copy -- blue), respectfully report that HB 598 be amended as follows and as so amended be concurred in.

Signed: Sen. Devlin

Senator Gerry Devlin, Chair

That such amendments read:

1. Page 1, line 26.

Following: "assessed."

Insert: "The department shall mail notification of the change to the person to whom the property is assessed and to the grantee."

-END-

 Amd. Coord.

SA Sec. of Senate

SEN. VAN VALKENBURGH
Senator Carrying Bill

791450SC.SRF

MONTANA SENATE
1995 LEGISLATURE
TAXATION COMMITTEE
ROLL CALL VOTE

DATE April 5, 1995 BILL NO. HB 524 NUMBER 2

MOTION: Amendment # 2 FAILED
(Sen. Devlin)

NAME	AYE	NO
GERRY DEVLIN, CHAIRMAN	✓	
MACK COLE		✓
DOROTHY ECK		✓
DELWYN GAGE	✓	
LORENTS GROSFIELD		✓
JOHN HARP		✓
BARRY "SPOOK" STANG		✓
FRED VAN VALKENBURG	✓	
MIKE FOSTER, VICE CHAIRMAN	✓	
	4	5

MONTANA SENATE
1995 LEGISLATURE
TAXATION COMMITTEE
ROLL CALL VOTE

DATE April 5, 1995 BILL NO. HB 524 NUMBER 3

MOTION: Amendment #3 (PASSED)
(Sen. Van Valkenburg)

NAME	AYE	NO
GERRY DEVLIN, CHAIRMAN	✓	
MACK COLE		✓
DOROTHY ECK		✓
DELWYN GAGE	✓	
LORENTS GROSFIELD		✓
JOHN HARP	✓	
BARRY "SPOOK" STANG		✓
FRED VAN VALKENBURG	✓	
MIKE FOSTER, VICE CHAIRMAN	✓	
	5	4

MONTANA SENATE
1995 LEGISLATURE
TAXATION COMMITTEE
ROLL CALL VOTE

DATE April 5, 1995 BILL NO. HB 524 NUMBER 4
MOTION: (Concurrence)
D.P.A.A. PASSED
(2 amendments)

NAME	AYE	NO
GERRY DEVLIN, CHAIRMAN		✓
MACK COLE	✓	
DOROTHY ECK	✓	
DELWYN GAGE		✓
LORENTS GROSFIELD	✓	
JOHN HARP	✓	
BARRY "SPOOK" STANG	✓	
FRED VAN VALKENBURG		✓
MIKE FOSTER, VICE CHAIRMAN		✓
	5	4

MONTANA SENATE
1995 LEGISLATURE
TAXATION COMMITTEE
ROLL CALL VOTE

DATE April 5, 1995 BILL NO. HB 591 NUMBER _____

MOTION: C.I.A.A.
(2 amendments)

NAME	AYE	NO
GERRY DEVLIN, CHAIRMAN		✓
MACK COLE	✓	
DOROTHY ECK	✓	
DELWYN GAGE		✓
LORENTS GROSFIELD	✓	
JOHN HARP		
BARRY "SPOOK" STANG	✓	
FRED VAN VALKENBURG	✓	
MIKE FOSTER, VICE CHAIRMAN	✓	
	6	2

out

Amendments to House Bill No. 524
Third Reading Copy

Requested by Senator Stang
For the Committee on Taxation

Prepared by Jeff Martin
March 17, 1995

1. Title, lines 6 and 7.

Strike: "PROVIDING" on line 6 through "STORES" on line 7

Insert: "; EXCLUDING GOODS AND SERVICES SOLD FOR RESALE FROM THE
RESORT TAX; REQUIRING NOTICE PRIOR TO THE ELECTION OF THE
GOODS AND SERVICES SUBJECT TO THE RESORT TAX"

2. Title, line 8.

Strike: "AND"

Insert: ", "

Following: "7-6-4463"

Insert: ", AND 7-6-4464"

Following: "IMMEDIATE"

Insert: "AN IMMEDIATE"

3. Title, line 9.

Strike: "DATES"

Insert: "DATE"

4. Page 2, lines 11 through 25.

Strike: section 2 in its entirety

Insert: "Section 2. Section 7-6-4463, MCA, is amended to read:

"7-6-4463. Limit on resort tax rate -- goods and services
subject to tax. (1) The rate of the resort tax must be
established by the election petition or resolution provided for
in 7-6-4464, but the rate may not exceed 3%.

(2) (a) The resort tax is a tax on the retail value of all
goods and services sold, except for goods and services sold for
resale, within the resort community or area by the following
establishments:

(i) hotels, motels, and other lodging or camping
facilities;

(ii) restaurants, fast food stores, and other food service
establishments;

(iii) taverns, bars, night clubs, lounges, and other public
establishments that serve beer, wine, liquor, or other alcoholic
beverages by the drink; and

(iv) destination ski resorts and other destination
recreational facilities.

(b) Establishments that sell luxuries ~~must~~ shall collect a
tax on such luxuries."

Section 3. Section 7-6-4464, MCA, is amended to read:

"7-6-4464. Resort tax -- election required -- procedure --
notice. (1) A resort community or area may not impose or, except
as provided in 7-6-4465, amend or repeal a resort tax unless the
resort tax question has been submitted to the electorate of the
resort community or area and approved by a majority of the

electors voting on the question.

(2) The resort tax question may be presented to the electors of:

(a) a resort community by a petition of the electors as provided by 7-1-4130, 7-5-132, and 7-5-134 through 7-5-137 or by a resolution of the governing body of the resort community; or

(b) a resort area by a resolution of the board of county commissioners, following receipt of a petition of electors as provided in 7-6-4468.

(3) If a resort area is in more than one county, the resort tax question must be presented to and approved by the electors in the resort area of each county.

(4) The petition or resolution referring the taxing question must state:

(a) the rate of the resort tax;

(b) the duration of the resort tax;

(c) the date when the tax becomes effective, which date may not be earlier than 35 days after the election; and

(d) the purposes that may be funded by the resort tax revenue.

(5) Upon receipt of an adequate petition, the governing body may:

(a) call a special election on the resort tax question; or

(b) have the resort tax question placed on the ballot at the next regularly scheduled election.

(6)(a) Before the resort tax question is submitted to the electorate of a resort community or area, the governing body of the resort community or the board of county commissioners in the county in which the resort area is located shall publish notice of the goods and services subject to the resort tax, in a newspaper that meets the qualifications of subsection (6)(b). The notice must be published twice, with at least 6 days separating publication. The first publication must be no more than 30 days prior to the election and the last no less than 3 days prior to the election.

(b) The newspaper must be:

(i) of general, paid circulation with a second-class mailing permit;

(ii) published at least once a week; and

(iii) published in the county where the election will take place.

~~(6)~~(7) The question of the imposition of a resort tax may not be placed before the electors more than once in any fiscal year.""

Renumber: subsequent section

5. Page 2, lines 27 and 28.

Strike: "DATES" on line 27

Insert: "date"

Strike: "(1)" on line 27 through "ARE" on line 28

Insert: "[This act] is"

6. Page 2, lines 29 and 30.

Strike: subsection (2) in its entirety

SENATE TAXATION

DATE April 5, 1995

COMMIT NO. 1

FILE NO. HB 591

What's missing from this picture?



TRAUMA SYSTEM BILL
FACT SHEET

SENATE TAXATION

DATE April 5, 1995

EXHIBIT NO. 2

BILL NO. HB 591

WHAT DOES THE TRAUMA SYSTEM BILL DO?

- ▶ Allows the Department of Health and Environmental Sciences to establish a voluntary, state-wide trauma system to prevent the occurrence of injuries, to improve the care provided to injured persons, and to reduce Montana's preventable deaths from injury. The legislation is the result of two years of consensus-based planning involving a wide range of health care providers, consumers, hospitals, legislators and others.
- ▶ Establishes regional and state advisory committees to provide a structured method for planning, evaluating and modifying the trauma system based upon data collected by emergency medical services, hospitals and others.
- ▶ Provides legal safeguards and confidentiality protection for hospital and state trauma register data and reports concerning quality improvement and peer review to assure the information can be used in a non-punitive manner to assist hospitals and emergency medical services to voluntarily improve their care.
- ▶ Allows the department to classify medical facilities (based on their voluntary cooperation) according to their capabilities of managing the seriously injured patient.

WHY DO WE NEED TO UPGRADE THE SYSTEM?

- ▶ Trauma is a major killer in Montana - remaining the leading cause of death for Montanans between the ages of 1 and 44. An average of 10 people die from injuries each week in Montana.
- ▶ According to research conducted in Montana, about 20% of Montana trauma deaths could be prevented if there were an organized state-wide trauma system.
- ▶ Injury deaths destroy more years of productive life than all other causes of death combined. The health care costs of trauma care and the economic loss to society are staggering.
- ▶ Organized systems of trauma care have been proven to save lives.

HOUSE BILL 591

AN OUTLINE OF TESTIMONY

TRAUMA - AN EPIDEMIC; A NEEDLESS TRAGEDY

- ✓ From ages 1 to 44, causes more death than all other causes combined
 - In 1992, there were 346 trauma deaths in this age group
 - In 1992, in this age group there were a total of 261 from all other causes including heart disease, AIDS and cancer
- ✓ In Montana (1992) there were 403 high impact injury deaths among all age groups
 - 174 (43%) of these were motor vehicle-related
- ✓ An organized state-wide trauma system could potentially prevent one to two deaths per week
- ✓ More than \$40 million in direct health care dollars spent in Montana each year.
- ✓ Montana has a high PREVENTABLE death rate - > 2.5 greater than a comparable area of Oregon with an organized trauma system
- ✓ The problem: MONTANA DOES NOT HAVE A TRAUMA SYSTEM

TRAUMA SYSTEMS SAVE LIVES!!

The information below shows, without question, that even the early development of a trauma system, in a rural area, improves the outcome of prehospital and hospital treatment, resulting in a lower percentage of preventable deaths. This doesn't even account for the effect of public education, prevention programs, and repeat training enhancement by medical personnel.

OREGON ATAB-7

Preventability for Hospital Deaths

Combined Data (N=122)

	Oregon (n=46)		Montana (n=76)	
PREVENTABILITY	#	%	#	%
Frankly Preventable	3	7%	5	7%
Potentially Preventable	6	13%	19	25%
Total Preventable	9	20%	24	32%
Non-Preventable	37	80%	52	68%

HOUSE BILL 591

AN OUTLINE OF TESTIMONY

SENATE TAXATION

DATE April 5, 1995

EXHIBIT NO. 4

BILL NO. HB 591

TRAUMA CARE IN MONTANA: WHAT ARE WE DOING ABOUT IT?

- ✓ High trauma death rate
 - Have learned about concept of preventable deaths
 - Completed preventable death studies in Montana
 - Trauma systems reduce preventable deaths
- ✓ State Trauma Task Force formed
 - Montana Trauma System Plan
 - Optimal use of existing resources
 - Facilitate rather than regulate
- ✓ Volunteer efforts have accomplished a great deal
 - Successfully competed for limited federal funding to begin the system
 - Regional Trauma Advisory Committees formed
 - Hospitals starting to form trauma teams and trauma committees
 - Hospitals (15) collecting Trauma Register Data
- ✓ Training with federal funding
 - EMT and First Responder
 - Trauma nurse training in rural areas

TRAUMA SYSTEMS SAVE LIVES!!

WRITTEN TESTIMONY - TRAUMA LEGISLATION,
HOUSE BILL #591; WHY HAVE IT?

SENATE TAXATION

DATE April 5, 1992

COMMITTEE NO. 5

FILE NO. HB 591

My dear State Senators and fellow Montanans:

I come before you today to speak in favor of House Bill #591. My name is Dr. Robert Hurd. I am a general surgeon in Billings, Montana associated with the Deaconess/Billings Clinic Health System. I've been the Director of the Trauma Service for the last four years. I am a third generation Montanan, being born and raised in Sidney, Montana, and I returned to Montana to devote my career to the health and welfare of fellow Montanans like yourself.

My message is quite simple. A trauma system in this state supported by underlying legislation will save lives, return injured people to work faster after their accident, and finally, save money. This happens because trauma systems reduce the death rate, reduce the severity of injury and get people back on their feet and rehabilitated faster in any state that has a trauma system versus any state that does not have an organized trauma system and legislation. We could see 15% lower costs per hospitalization after an accident. This would save over \$1,000.00 per case. Montana already has dedicated medical professionals and institutions. We have hard working caregivers, and unselfish volunteers who run the majority of our ambulance services. All of us need legislative help to further our efforts.

Why should the state of Montana become involved and pass House Bill #591 during this legislative session? Although many improvements can be made at the local level, a system of care, even a voluntary system, requires a coordinated state-wide and regional approach. This bill establishes a trauma care system and provides some rule-making authority. Although our system is a voluntary one, rule-making authority is essential if we want to improve our care. This authority will come through regional trauma committees, a state trauma committee and a state Emergency Medical Systems Advisory Council. These committees, composed of interested participating caregivers from all over the state, will

provide the core for our state trauma system. House Bill #591 will allow the EMS department to classify or designate hospitals according to their varying capabilities and resources to manage the trauma patient. The bill does not mandate hospitals participate, but rather encourages them to do so. House Bill #591 will also allow for changes in how trauma care is delivered in Montana on the basis of the collection and analysis of reliable data. We need an honest review and evaluation of these data. House Bill #591 will also provide legal safeguards needed to protect peer review data for all of our fellow caregivers at the on a regional basis. Safeguards designed to assure honesty and candor in reviewing trauma data is essential and can only be done through legislation. House Bill #591 will also insure medical direction of local ambulance services to help them achieve their goal of becoming better caregivers. We know that trauma systems will also serve as a good model for regionalized health care delivery systems in all of Emergency Medical Services.

In summary, House Bill #591 will allow us to integrate the resources of caregivers, ambulances, communications, hospital care, triage and transport to make sure that our Montanans who are injured on the road or at the job site will be cared for at the right place at the right time, under the right conditions, with good results. Trauma system development is a team effort. If the legislature delivers the framework through House Bill #591 we health care professionals will do our part to reduce Montana's needless tragedies. Please help us in this endeavor. This will be good legislation which will return both lives and money to our state.

Thank you very much!

Sincerely,

ROBERT N. HURD, M.D.

lp

EXHIBIT 5

DATE 4-5-95

1 HB 591

HOUSE BILL 591

AN OUTLINE OF TESTIMONY

TRAUMA LEGISLATION: WHY HAVE IT?

- ✓ Formal advisory structure - uses data and Quality Improvement
 - Regional Trauma Advisory Committees (RTAC)
 - State Trauma Committee
 - State EMS Advisory Council
- ✓ Advisory committees are volunteer
 - No expense reimbursement for Regional Trauma Advisory Committees
 - RTACs meeting expenses supported by hospitals
- ✓ Authority to Department to implement a state-wide trauma system and adopt rules
 - Voluntary system
 - Inclusive system including all medical facilities
 - Rules allow for structure to be established - not punitive
- ✓ Designation of hospitals as various levels of trauma facilities
- ✓ Hospital and System Trauma Register
 - Used for Quality Improvement - local, regional and state
 - Confidentiality of Quality Improvement/Peer Review Data
 - Information to "Target" prevention programs
- ✓ Trauma systems - a model for health care delivery

TRAUMA SYSTEMS SAVE LIVES!!



**Montana
Deaconess**

Medical Center

1101 Twenty Sixth Street South
Great Falls, Montana 59405-5193
406 761-1200

SENATE TAXATION

DATE April 5, 1995

EXHIBIT NO. 6

BILL NO. HB 591

April 5, 1995

Chairman Devlin and Members of the Senate Taxation Committee:

My name is Susan O'Leary and I represent Trauma Coordinators throughout Montana who have been deeply involved in trauma system development in Montana. I have worked as an Emergency Department Nurse for 15 years, and am currently employed by Montana Deaconess Medical Center in Great Falls as a Trauma Coordinator. Those of us employed as Trauma Coordinators have first hand knowledge of what systematized trauma care can provide within our facilities for the trauma patient. Unfortunately, we have been unable to develop a system utilizing and integrating our state resources because we lack a state-wide trauma plan.

I come before you this morning to share why we need a trauma system in our state - what it is and what I can do to improve trauma care, as well as decrease the mortality and disability associated with trauma.

As we in business and government are called upon to do more with fewer resources, system planning has become a prevalent response. A trauma system is an organized, preplanned response to care for a trauma patient. This planning must not be restricted to local planning, but must also include planning on a regional and state-wide basis. With appropriate planning we can assure that the patient will receive good care at the scene of the accident as well as a rapid transfer to the appropriate medical facility best capable of managing their injuries.

In practical terms, what will the Trauma System provide?

There will be a rapid response of well-trained EMT's and First Responders for the trauma victim via 9-1-1. Prehospital personnel will be trained to recognize the severely traumatized patient and will provide rapid treatment and early notification of the local hospital or medical assistance facility.

Because of early notification of an incoming trauma patient, the receiving facility will be able to assemble a trauma team of physicians, nurses, and other personnel necessary to provide prompt, excellent care to the patient. This system will rely heavily on the local physicians and nursing staff to provide life-

saving intervention. A trauma system does not mean that all trauma patients will go to hospitals in larger communities in Montana. In fact, an emphasis of the state trauma plan is to have patients treated in their own community whenever possible to do so.

If the medical needs of the patient exceed the capabilities of the local medical facility, the facility will activate a Central Medical Resource system to coordinate all arrangements for prompt transfer of the patient from one facility to another. These arrangements will provide the quickest transport to the best equipped facility as determined by trauma center designation.

Emphasis on initiating early rehabilitation will assure prompt return of the trauma victim to a productive life.

Collection of state-wide data in the Trauma Register will provide the potential for continual improvement of trauma care in each facility, within the region and on a state-wide basis utilizing a peer review process. However, in order for this process to be beneficial, caregivers must come together in a common, protected forum without fear of legal retribution.

Prevention is a key component of a trauma system. Utilizing the data collected through the Trauma Register, local and regional committees can target specific problem areas for injury prevention and will be able to judge the efficacy of the program on an ongoing basis. If the focus of prevention in your rural community is the use of bicycle helmets but the children are suffering from injuries associated with riding horses, our children will continue to sustain these injuries. Members of the RTAC's have been involved in Health Fairs, prevention programs through local grade schools, alcohol and drug prevention programs through the high schools, and prevention programs for senior citizens. More importantly, we are gathering information on all local and r The best planned response to the injured patient will never be as good as preventing an injury to our friends or family.

I would appreciate your support of the Montana Trauma System and House Bill 591.

HOUSE BILL 591

AN OUTLINE OF TESTIMONY

WHY HAVE A MONTANA TRAUMA SYSTEM; WHAT IS IT?

- ✓ Organized , preplanned response to trauma patient - locally, regionally & statewide
- ✓ Rapid response, via 9-1-1, by ambulance services (air & ground). They recognize major trauma patient and communicate to medical facility
- ✓ Medical facility has trauma team (physician, nurse, operating room, etc) ready when patient arrives at their door. This depends of resources of the community.
- ✓ Early surgery often the key to survival
- ✓ If patient's condition exceeds capability of medical facility, Central Medical Resource will quickly coordinate all transportation and transfer arrangements.
- ✓ Match the right patient with the right medical facility in the right amount of time. Time is critically important X
- ✓ Initiate rehabilitation as soon as possible. RETURN PATIENT TO HOME COMMUNITY AS SOON AS PRACTICAL
- ✓ Continual improvements to system by good data and candid critique. RTACs evaluate regional responses and help to make it better

EXHIBIT 6
DATE 4-5-95
HB 591

TRAUMA SYSTEMS SAVE LIVES!!



SENATE TAXATION

DATE April 5, 1995

SENATE NO. 7

SENATE NO. HB 591

MONTANA NURSES' ASSOCIATION

104 BROADWAY, SUITE G-2 • HELENA, MONTANA 59601 • PHONE 406-442-6710

Chairman Devlin and Members of the Taxation Committee,

My name is Sharon Diezger and I represent the Montana Nurses' Association. I'm also a member of the Statewide Trauma Task Force.

I'm speaking in support of House Bill 591. Every day in Montana's Emergency Rooms we are faced with the devastating news that a trauma patient is enroute from somewhere. The long distances and wide open spaces that we enjoy present a real challenge to us when a citizen of Montana becomes a trauma victim. It is not entirely unusual to have them arrive in the back of a pick-up truck. We need to be able to plan with and support even our smallest and most isolated communities. Trauma does not just occur in the cities.

In Montana we are usually faced with blunt trauma vs penetrating trauma - only because right now we don't have as many knife and gun clubs as other states. However, blunt trauma can be just as devastating, and just as debilitating.

A key part of the Trauma System is based on having good data which drives quality improvement. What does this mean? It puts a lot of faith in our interest in providing good care to all patients and to do the right thing. We are up to that challenge.

Although lack of funding is a disappointment, it does not negate the need to have legislation passed that will allow us to build on the system we have already begun to establish.

Quality improvement is a process by which we health care providers establish reasonable goals or standards designed to improve patient care. By collecting good data, we can determine if we are meeting those goals. If we aren't, we must figure out together where the problems lie and how we can fix them.

Chairman Devlin and Members of the Taxation Committee
(continued)

Statewide quality improvement data will be provided to the State Trauma Committee which will review data and work with regions and individual services to make improvement. They will assess and act on the information and use the data for future system improvements.

Recognizing the importance of the candor and honesty afforded by quality improvement, the legislature has previously provided "peer review" legal protections to in-hospital committees. House Bill 591 provides the same legal protections to the Regional Trauma Advisory Committees, the State Trauma Committee and the Department. Their ability to use data for quality improvement is essential to the operation of the Montana Trauma System.

Only individual patient care data reports used for quality improvement are protected. General information not identified by facility and not used for quality improvement are not protected and are considered as public information. All of the original patient care information is, of course, discoverable by the usual legal methods.

The plan you have before you represents the state's battle plan in the war against trauma. The Montana Trauma System organizes, integrates and refines existing health care resources throughout the state to provide improved care of injured patients. Saving lives and saving money are certainly worthwhile goals for the State of Montana to consider. An affirmative vote for House Bill 591 is vital. It will make a difference.

Thank you for your time.

EXHIBIT 7

DATE 4-5-95

1 HB 591

HOUSE BILL 591

AN OUTLINE OF TESTIMONY

QUALITY IMPROVEMENT - THE BASIS OF THE TRAUMA SYSTEM

- ✓ Use of data to evaluate how well we are doing and to make improvements when needed
- ✓ Health care professionals must honestly discuss the trauma data and figure out solutions
 - To be successful, it must be done without fear of legal discovery
 - "Fix" problems by education and training - not punishment
- ✓ Hospital and system trauma registries are our data collection tools
 - Used by hospitals, Regional Trauma Advisory Committees, and state EMS
 - HB 591 provides legal protection to the Quality Improvement portion of the data
 - Original patient records are still discoverable

TRAUMA SYSTEMS SAVE LIVES!!

HOUSE BILL 591

HIGHLIGHTS OF TESTIMONY

TRAUMA SYSTEM: IMPACT ON PREHOSPITAL CARE PROVIDERS

- *** EMS Advisory Council provides a structured method for prehospital provider input to state wide decisions - This is currently lacking
- *** Provides a method for prehospital care providers, physicians and nurses to work together to preplan response to trauma - locally and regionally
- *** Enables "peer review" to occur without fear of legal discovery - essential for honest evaluation and improvement
- *** Improved medical involvement in prehospital care through the Local Trauma Committees and Regional Trauma Advisory Committees created by the Montana Trauma Plan
- *** Trauma registry data will isolate specific areas requiring public education. Prehospital care providers can then target these areas for their prevention and public education activities.
- *** Improve communications, coordinations and teamwork between all patient care providers.

HB 591 TESTIMONY

SENATE TAXATION COMMITTEE

Chairman and members of the committee, my name is Gary Haigh. I'm a prehospital care provider currently living in Billings. For the past five years I've had the privilege of representing the Montana Emergency Medical Services Association in statewide trauma system development activities.

First I'd like to tell you why I'm here: In 1979 a group of friends and I went to watch an Ennis Mustangs football game in another rural Montana town. During the game a player and good friend, made a bone crunching tackle but failed to rise. The coach, one of the early EMT's in the state assessed him where he lay and determined that there was no feeling in the legs, indicating a spinal injury. An ambulance was called for only to find out the town didn't have an ambulance, hospital or doctor. My friends and I, who had basic first aid training, hauled the injured player ninety miles in the back of a station wagon watching the paralysis spread to more and more of his body. When we arrived at the hospital they were unprepared for our arrival and unable to provide the care needed resulting in transfer to another facility then to another facility, further delaying definitive care. This convinced me to become involved in EMS and work towards the creation of a better system. My friend the football player was lucky he recovered enough to become a productive member of society. Would his recovery have been closer to complete with this legislation in place? I have no doubts it would have been. Would the medical and rehabilitation costs been less? Markedly so!

How will this legislation effect prehospital care providers?

There are over 5000 prehospital care providers in Montana. Unlike physicians, nurses, respiratory therapists, dentists, PA's, and most other professional areas prehospital personnel have no structured method for input to the agencies that govern and regulate them. These First Responders and EMT's, mostly volunteers, deserve the opportunity to express and have their opinions heard. By establishing the EMS Advisory council this legislation will create a method for structured input from the people in the trenches doing the work.

Previous testimony has described why preplanning the care of trauma patients is important. This planning must be done not only at the facility or trauma center level but also at the prehospital level. If facilities and prehospital care entities each develop their own plan, will the plans work together?? HB591 provides a structure where prehospital care providers, nurses, physicians, and facilities work together to determine ahead of time which patients are critical and require activation of the trauma team and/or require transport to another facility. This coordination will expedite appropriate care for trauma patients.

To learn from our mistakes we must be able to view the whole picture to see how each part effects the other parts. Many facilities and many ambulances review cases, but seldom do they review them together, thus neither sees the whole picture. One reason this does not occur is the lack of protection from discovery. Trauma system legislation provides protection from discovery and creates a structure where "peer review" will be conducted at both the local and the regional level.

In many areas of our state the medical community has little or no involvement in prehospital care. Each party shares the blame for this situation but it is the patient who suffers the consequences. The structure of facility and regional trauma committees established by the trauma plan will serve as a forum to increase involvement by the medical community and prehospital providers.

Most ambulance services and quick response units are involved in public education and prevention activities on a local basis. The question has always been are these activities the right ones. The data from the trauma registry will isolate specific areas where public education can have the greatest impact on decreasing trauma. Prehospital and hospital can then work together to present prevention education that will target these areas, providing the maximum effect for the effort and money.

In summary the trauma system will effect prehospital care providers by improving communications and coordination between all members of the patient care team. The team is now disjointed but willing to work together, what we need is a framework that promotes that promotes teamwork. This legislation is that framework.

Thank you for your support of this life saving legislation.



Montana Emergency Medical Services Association

P.O. Box 236
Roy, MT 59471
(800) 247-2369

SENATE TAXATION

DATE April 15, 1995
ENCL NO. 9
BILL NO. HB 591

DATE: April 5, 1995

TO: Senate Taxation Committee
Chair
Committee Members

SUBJECT: Testimony Concerning HB591, Statewide Trauma
Care System

The Montana Emergency Medical Services Association Inc. (MEMSA) is the professional organization of pre-hospital care providers in our state. The majority of our members are associated with rural volunteer emergency medical service (EMS) entities. MEMSA members reside in over 40 of Montana's counties.

The effects of a statewide trauma care system will be improved communications, coordination and cooperation for all members of the patient care team. The end result being that fewer of our friends and neighbors will die as a result of trauma and the effects of the trauma will be mitigated for those who are injured.

Montana, being a rural, sparsely populated state, depends on volunteer emergency medical services organizations to assure that EMS is available when needed. These organizations strive to provide high quality and efficient service for their friends, neighbors, and others. These volunteers deserve to have input into decisions that effect the operation of their emergency medical services organizations. This legislation will create a structured method for the volunteers, who are out there doing the work to express their opinions, ideas and frustrations.

At the 1994 meeting of the MEMSA membership a resolution in support of the statewide trauma system was introduced and endorsed by a large majority of the members. (Attached)

MEMSA would like to see the funding reinstated. However with or without the funding our organization supports this bill and urges you as a committee to give it a "DO PASS" recommendation.

John Gervais
President



RESOLUTION ON TRAUMA SYSTEM AND TRAUMA SYSTEM LEGISLATION

Whereas, trauma is the leading cause of death and disability in children and young adults; and

Whereas, trauma is a significant problem in the state of Montana; and

Whereas, other areas have demonstrated that an organized system for trauma care will reduce death and disability; and

Whereas, reducing death and disability from trauma will reduce medical costs; and

Whereas, the Montana Trauma System Plan will provide for input and representation by pre-hospital care providers; and

Whereas, data collection will provide information on how prevention and care of trauma patients can be improved; and

Whereas, communications between all levels of care providers will be improved by the trauma system; and

Whereas, a trauma system will promote and/or provide specialized training for all providers; and

Whereas, a systematic approach to trauma care will improve consistency of care and operations; and

Whereas, the trauma system will provide limited funding to improve trauma prevention and care at all levels; and

Whereas, an objective of the Montana Emergency Medical Services Association is to reduce trauma and promote quality care; and

Now, therefore, the Montana Emergency Medical Services Association hereby resolves to support the Montana Trauma System Plan and legislation designed to implement the plan.

DATE April 5, 1995EXHIBIT NO. 10BILL NO. HB 591NAME Steve YeakelADDRESS PO Box 4663 Helena 59604HOME PHONE _____ WORK PHONE 443-1674REPRESENTING Montana Council for Maternal & Child HealthAPPEARING ON WHICH PROPOSAL? HB 591DO YOU: SUPPORT X OPPOSE _____ AMEND _____

COMMENTS:

Of all deaths to Montanans between 1986-1990,TRAUMA caused44% of the deaths to children age 1-467% of the deaths to children age 5-1460% of the deaths to children age 15-24

A system for trauma care, such as the one proposed in HB 591,
can prevent death to children from injury, reduce the lifetime costs
of serious injury, and reduce the potential for lost quality of life
due to injury.

WITNESS STATEMENT

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY



Established in 1892 by Sisters of Providence

500 15TH AVENUE SOUTH P.O. BOX 5013
GREAT FALLS, MONTANA 59403 (406) 727-3333

SENATE TAXATION

DATE April 5, 1995

EXHIBIT NO. 11

BILL NO. 9/B591

TO: Sen. Gerry Devlin, Chairman
Senate Taxation Committee
FROM: Columbus Hospital, E.D.
Great Falls, MT

4/3/95

Senator Devlin your support of House Bill 591 would be greatly appreciated. A statewide Trauma Care System is needed.

Thank you

Adele Borchardt, R.N.
Columbus Hospital Trauma Coord.

Brian Christensen, R.N.
Columbus Hospital Emergency Dept. Supervisor.

House Bill **363**
Current vs Proposed Taxation of Motor Vehicles

Type of Vehicle	Licensing	Current Law	Value Source	Values Set By:	Proposed Law	Values Set By:
New vehicles- 1st year	All	MSRP X 1 1/2% = Tax	NADA Acquired Cost Dealer Cost	Auto Dealers Treasurers Transportation	No Change	Justice
After 1st year						
Cars	Local	Avg. Trade in X 2% = Tax	NADA	Justice/Revenue	MSRP X Percentage Mult. X 2% = Tax	Justice
Cars	Fleet	Avg. Trade in X 2% = Tax	NADA	Justice/Transportation	MSRP X Percentage Mult. X 2% = Tax	Justice
Motorcycles	Local	Avg. Trade in X 2% = Tax	NADA	Justice/Revenue	MSRP X Percentage Mult. X 2% = Tax	Justice
Motorcycles	Fleet	Avg. Trade in X 2% = Tax	NADA	Justice/Transportation	MSRP X Percentage Mult. X 2% = Tax	Justice
Trucks (under 1 ton)	Local	Avg. Trade in X 2% = Tax	NADA	Justice/Revenue	MSRP X Percentage Mult. X 2% = Tax	Justice
Trucks (under 1 ton)	Fleet	Avg. Trade in X 2% = Tax	NADA	Justice/Transportation	MSRP X Percentage Mult. X 2% = Tax	Justice
Trucks (over 1 ton)	Local	Avg. Wholesale X 9% X local mill levy = Tax (plus 45 mills if >26,000 GVW)	Truck Blue Book	Revenue	MSRP X Percentage Mult. X 2% = Tax	Justice
Trucks (over 1 ton)	Fleet	Avg. Wholesale X 9% X local mill levy = Tax (plus 45 mills if >26,000 GVW)	Truck Blue Book	Transportation	MSRP X Percentage Mult. X 2% = Tax	Justice
Trucks (over 1 ton)	Interstate	Acquired Cost X Deprec. Rate X 9% X statewide average levy = Tax (plus 45 mills if >26,000 GVW)	Acquired Cost	Transportation	MSRP X Percentage Mult. X 2% = Tax	Justice
Trailers (< 26,000 GVW)	Local	Avg. Wholesale X 9% X local mill levy = Tax	DOR Manuals Boat Trailer Guide Acquired Cost	Revenue	Fee based on declared weight and age	Statute
Trailers (< 26,000 GVW)	Fleet	Avg. Wholesale X 9% X local mill levy = Tax	Acquired Cost	Transportation	Fee based on declared weight and age	Statute
Trailers (< 26,000 GVW)	Interstate	Acquired Cost X Deprec. Rate X 9% X statewide average levy = Tax	Acquired Cost	Transportation	Exempt	Statute

SENATE TAXATION

DATE: N/A

EXHIBIT NO. 12

BILL NO. HB 363

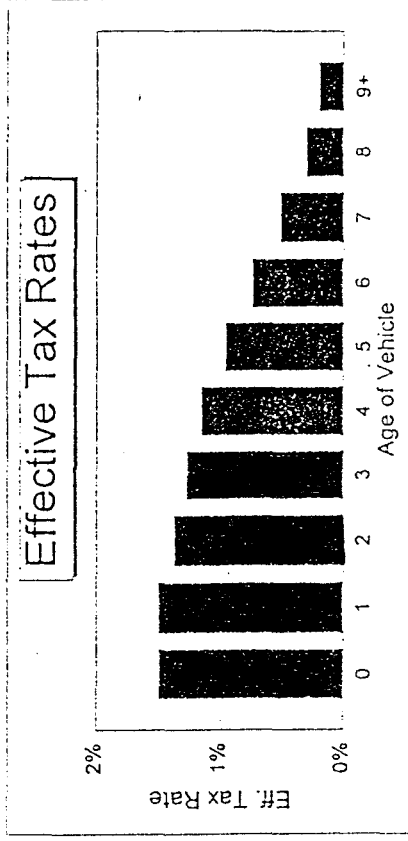
April 5, 1995

HB363 - Alternative Depreciation Schedule and New Car Sales Tax Rate

New Car Sales Tax Rate: 1.50%

Used Car Depreciation Schedule:

Age of Vehicle	Depreciation Rate	Effective Rate
0	0.75	1.50%
1	0.75	1.50%
2	0.69	1.38%
3	0.64	1.28%
4	0.58	1.16%
5	0.48	0.96%
6	0.37	0.74%
7	0.26	0.52%
8	0.15	0.30%
9+	0.10	0.20%



Revenue Impact	Current Law	Proposed Law	Change
New Car Sales Tax	\$8,469,332	\$8,227,812	(\$241,520)
Used Car Property Tax	\$43,926,861	\$43,912,524	(\$14,337)
Total Taxes Paid	\$52,396,193	\$52,140,336	(\$255,857)

Impact on Taxing Jurisdictions

District Courts (7%)	(\$1,004)
Universities	(\$227)
School Equalization Aid	(\$3,600)
Counties	(\$2,773)
Local schools	(\$5,733)
Cities/Towns	(\$733)
Miscellaneous Districts	(\$267)
TOTAL IMPACT:	(\$14,337)

ORI/MDOR
15-Mar-95

EXHIBIT 12
 DATE 4-5-95
HB 363

**SAMPLE ESTIMATES OF CURRENT AND PROPOSED TAX
 BY VEHICLE TYPE AND AGE GROUP, TAX YEAR 1993**

BY VEHICLE TYPE

Vehicle Type	Current Law Tax	% of CL Tax	Proposed Law Tax	% of PL Tax
Passenger Car	24,248,870	46%	28,266,539	54%
Truck	17,015,195	32%	14,278,816	27%
Van	4,210,739	8%	3,945,405	8%
Other	6,921,389	13%	5,649,575	11%
Total	52,396,193	100%	52,140,335	100%

BY AGE GROUP

Vehicle Age Group	Current Law Tax	% of CL Tax	Proposed Law Tax	% of PL Tax
< 2 Yrs. Old	10,041,963	19%	9,722,205	19%
2 - 5 Yrs. Old	26,894,809	51%	28,279,372	54%
5 - 10 Yrs. Old	12,213,687	23%	11,526,840	22%
>10 Yrs. Old	3,245,734	6%	2,611,918	5%
Total	52,396,193	100%	52,140,335	100%

ORI/MDOR
 16-Mar-95

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**CURRENT LAW AVERAGE TAX
BY TYPE AND AGE**

Vehicle Type	Age Group				Total
	<2 Yrs. Old	2-5 Yrs. Old	5-10 Yrs. Old	>10 Yrs. Old	
Passenger Car	226	157	52	14	78
Truck	244	176	70	19	90
Van	260	206	81	16	134
Other	305	257	96	32	144
Total	246	174	63	17	90

**PROPOSED LAW AVERAGE TAX
BY TYPE AND AGE**

Vehicle Type	Age Group				Total
	<2 Yrs. Old	2-5 Yrs. Old	5-10 Yrs. Old	>10 Yrs. Old	
Passenger Car	237	187	63	15	91
Truck	214	163	49	12	76
Van	258	198	68	13	126
Other	295	221	63	16	118
Total	238	183	59	14	90

**DOLLAR CHANGE IN AVERAGE TAX
BY TYPE AND AGE**

Vehicle Type	Age Group				Total
	<2 Yrs. Old	2-5 Yrs. Old	5-10 Yrs. Old	>10 Yrs. Old	
Passenger Car	11	30	11	1	13
Truck	(30)	(13)	(21)	(7)	(15)
Van	(3)	(9)	(13)	(3)	(8)
Other	(11)	(35)	(33)	(16)	(27)
Total	(8)	9	(4)	(3)	(0)

**PERCENT CHANGE IN AVERAGE TAX
BY TYPE AND AGE**

Vehicle Type	Age Group				Total
	<2 Yrs. Old	2-5 Yrs. Old	5-10 Yrs. Old	>10 Yrs. Old	
Passenger Car	5%	19%	21%	7%	17%
Truck	-12%	-7%	-30%	-38%	-16%
Van	-1%	-4%	-16%	-19%	-6%
Other	-3%	-14%	-34%	-50%	-18%
Total	-3%	5%	-6%	-20%	-0%

ORI/MDOR
16-Mar-95

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HB363 Current and Proposed Law
Light Vehicle Taxes (TY 1993)
By County

County	Current Law Tax	Proposed Law Tax	Change In Tax	Change in Tax Local govts.*	No. of Vehicles	Change in Tax Per Vehicle
SILVER BOW	1,737,500	1,779,011	41,511	\$12,749	22,620	\$1.84
CASCADE	3,478,082	3,555,152	77,070	16,457	47,430	1.62
YELLOWSTONE	6,669,593	6,786,480	116,887	40,428	85,490	1.37
MISSOULA	4,179,982	4,150,492	(29,490)	(10,102)	58,260	(0.51)
LEWIS AND CLARK	2,641,831	2,635,679	(6,152)	(1,787)	35,200	(0.17)
GALLATIN	3,113,644	3,060,831	(52,813)	(18,414)	38,950	(1.36)
FLATHEAD	3,804,669	3,759,721	(44,948)	(13,642)	49,800	(0.90)
FERGUS	624,394	621,107	(3,287)	(1,050)	9,040	(0.36)
POWDER RIVER	149,318	142,628	(6,690)	(2,195)	1,840	(3.64)
CARBON	539,153	535,784	(3,369)	(1,000)	7,080	(0.48)
PHILLIPS	306,577	296,848	(9,729)	(3,247)	3,650	(2.67)
HILL	884,396	883,108	(1,288)	(483)	10,910	(0.12)
RAVALLI	1,408,243	1,346,705	(61,538)	(16,828)	20,200	(3.05)
CUSTER	599,450	617,381	17,931	5,003	8,370	2.14
LAKE	1,053,186	1,046,096	(7,090)	(2,151)	13,770	(0.51)
DAWSON	580,151	603,960	23,809	7,381	7,420	3.21
ROOSEVELT	321,632	336,810	15,178	4,779	4,410	3.44
BEAVERHEAD	467,525	460,395	(7,130)	(2,196)	6,180	(1.15)
CHOUTEAU	383,336	374,049	(9,287)	(1,818)	4,910	(1.89)
VALLEY	465,155	476,518	11,363	3,952	5,850	1.94
TOOLE	292,700	297,092	4,392	1,249	4,010	1.10
BIG HORN	412,522	400,699	(11,823)	(3,152)	4,750	(2.49)
MUSSELSHELL	231,772	226,640	(5,132)	(1,322)	3,100	(1.66)
BLAINE	252,956	254,257	1,301	467	3,210	0.41
MADISON	461,428	443,376	(18,052)	(4,872)	5,540	(3.26)
PONDERA	308,835	322,948	14,113	4,153	4,140	3.41
RICHLAND	637,804	620,040	(17,764)	(4,862)	8,580	(2.07)
POWELL	301,550	301,534	(16)	(5)	4,150	(0.00)
ROSEBUD	503,888	506,858	2,970	1,007	6,270	0.47
DEER LODGE	513,615	539,902	26,287	7,702	6,980	3.77
TETON	396,549	410,605	14,056	3,327	5,300	2.65
STILLWATER	444,122	443,542	(580)	(186)	5,830	(0.10)
TREASURE	53,167	54,200	1,033	333	720	1.43
SHERIDAN	317,803	330,159	12,356	3,630	3,920	3.15
SANDERS	434,515	425,001	(9,514)	(2,002)	6,630	(1.43)
JUDITH BASIN	134,983	129,276	(5,707)	(1,599)	1,930	(2.96)
DANIELS	168,956	176,230	7,274	2,483	1,880	3.87
GLACIER	364,050	368,287	4,237	1,436	4,490	0.94
FALLON	236,755	244,306	7,551	1,969	2,790	2.71
SWEET GRASS	200,214	198,713	(1,501)	(667)	2,720	(0.55)
MCCONE	165,367	163,194	(2,173)	(657)	2,000	(1.09)
CARTER	101,692	96,264	(5,428)	(1,784)	1,310	(4.14)
BROADWATER	211,683	218,823	7,140	1,706	2,960	2.41
WHEATLAND	103,127	96,708	(6,419)	(1,026)	1,410	(4.55)
PRAIRIE	92,629	85,340	(7,289)	(2,182)	1,080	(6.75)
GRANITE	145,183	135,843	(9,340)	(2,769)	2,160	(4.32)
MEAGHER	141,344	134,792	(6,552)	(2,374)	1,730	(3.79)
LIBERTY	185,245	184,814	(431)	(129)	2,090	(0.21)
PARK	876,293	854,076	(22,217)	(5,948)	10,970	(2.03)
GARFIELD	101,761	97,790	(3,971)	(1,625)	1,190	(3.34)
JEFFERSON	496,383	490,655	(5,728)	(1,810)	6,950	(0.82)
WIBAU	74,044	75,409	1,365	356	980	1.39
GOLDEN VALLEY	56,494	52,343	(4,151)	(1,179)	790	(5.25)
MINERAL	190,258	185,653	(4,605)	(1,322)	2,590	(1.78)
PETROLEUM	52,335	48,781	(3,554)	(1,758)	590	(6.02)
LINCOLN	857,022	829,623	(27,399)	(7,578)	12,430	(2.20)
TOTAL	\$43,926,861	\$43,912,528	(\$14,333)	(\$4,256)	579,550	(\$0.02)

* Excluding Schools

PROPOSED FEES FOR AD VALOREM (CLASS 8) TRAILERS

AGE	DECLARED WEIGHT	
	0-6,000	6,001-16,000
less than 5 years old	\$16	\$55
5 years old & less than 10 years	\$11	\$32
10 years old & older	\$6	\$17
		\$74
		\$41
		\$23

EXAMPLES

DESCRIPTION OF TRAILER	MARKET VALUE	TAXABLE VALUE	AVERAGE LEVY	CURRENT TAX	PROPOSED FEE
1992 EZ LOADER BOAT TRAILER	842	76	.362467	\$27.55	\$16.00
1980 HOMEMADE 2 WHL TRLR	110	10	.362467	\$3.62	\$6.00
1989 FRUEHAUF 44' STEEL FLATBED 22,000 DECLARED WT	3,619	326	.362467	\$118.16	\$41.00
1994 CIRCLE J 18' STOCK TRLR 16,000 DECLARED WT	3,142	283	.362467	\$102.49	\$55.00

CURRENT FEES FOR TRAVEL TRAILERS/CAMPERS

AGE	TRAILER	CAMPER
less than 3 years old	\$60.00	\$52.50
all others	\$22.50	\$22.50

EXAMPLES

DESCRIPTION OF TRAILER	MARKET VALUE	TAXABLE VALUE	AVERAGE LEVY	CURRENT FEE	PROPOSED FEE
1993 JAYCO 32' TRAVEL TRAILER	N/A	N/A	N/A	\$60.00	NO CHANGE
1991 JAYCO 32' FIFTH WHEEL	N/A	N/A	N/A	\$22.50	NO CHANGE
1994 JAYCO 10' PCK CAMPER				\$52.50	NO CHANGE
1991 JAYCO 11½' PCK CAMPER				\$22.50	NO CHANGE

DATE

April 5, 1995

SENATE COMMITTEE ON

Taxation

BILLS BEING HEARD TODAY:

HB 363 Rep. Swanson
HB 591 Rep. Wiseman

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Check One

Name	Representing	Bill No.	Support	Oppose
Gloria Daladerick	Richland Development	591	X	
Sharon Liezinger	MT Nurses Assoc	591	X	
Ref Liezinger	myself	591	X	
Cary Haigh	MT EMS Assoc	591	X	
Susan O'Leary	MT Trauma Coordinators	591	X	
John Middleton	MT Committee on Trauma	591	X	
Jelt Hansen	self	591	X	
Charles Rinker	MT Comm. on Trauma	591	X	
Robert Hurd	MT Comm. on Trauma	591	X	
STANLEY GYNNESS	MT Comm on Trauma	591	X	
Jim DeTienne	MT Dept. of Health	591	X	
Bill Opitz	" " " "	591	X	
ARLETTA NEELATH	PROPERTY ASSMNT DIV	363	X	
GAIL JONES	ROCKWELL CO COMM.	363		X

Drew Dawson

TIM BERGSTROM

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

Bob Johnson

REGISTER F10

VISITOR REGISTER

MT. STATE FIREMENS ASSOC

MIDNES

591

591

591

X

X

X

DATE _____

SENATE COMMITTEE ON _____

BILLS BEING HEARD TODAY: _____

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Check One

Name	Representing	Bill No.	Support	Oppose
Worathy Cody	Perseus CC	363		✓
Ann Vies	Granite County	363		✓
Cele Rohle	Russell County	363		✓
DENNIS BUTT	MOITAX	363		✓
Steve Yeakel	MT Council for Maternal & Child Health	591	✓	
Sharon Ferguson	Property Assmt.	363	✓	
Rosanna Alexander	MT Petroleum Mark	HB 363	✓	
Mary Whittingfield	DOR	363	✓	
Drew Roberts	DOS, mvd	363	✓	
Dave GALT	MDT/MCS	363	✓	
Ben Haddock	MT Motor Conv. Co.	363	✓	
Bela Smith	MT Med Assn	591	✓	
Stuart Dossert	mt Manufactured Housing & RV Assoc. (HB 363)	363	✓ as amended	
Carl Schweitzer	MT Cont Assn	363	✓ with amendment	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY