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## Revenue and Transportation Interim Committee

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### 64th Montana Legislature

#### SENATE MEMBERS

FRED THOMAS--Chair  
DICK BARRETT  
MARK BLASDEL  
BRIAN HOVEN  
CHRISTINE KAUFMANN  
SUE MALEK

#### HOUSE MEMBERS

TOM JACOBSON--Vice Chair  
JEFF ESSMANN  
GREG HERTZ  
RAE PEPPERS  
ALAN REDFIELD  
BRIDGET SMITH

#### COMMITTEE STAFF

MEGAN MOORE, Lead Staff  
JARET COLES, Staff Attorney  
FONG HOM, Secretary

# MINUTES LOG

Subcommittee on Joint Revenue Estimating Subcommittee  
Room 137, Capitol Building  
Helena, Montana

## May 3, 2016 Conference Call

**Please note:** This document is a Minutes Log and provides a notation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video record of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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### **COMMITTEE MEMBERS PRESENT**

SEN. DICK BARRETT, Chair  
SEN. MARK BLASDEL

REP. TOM JACOBSON  
REP. GREG HERTZ

### **STAFF PRESENT**

MEGAN MOORE, Lead Staff  
JARET COLES, Staff Attorney  
FONG HOM, Secretary

### **VISITORS' LIST** (Attachment 1)

### **AGENDA** (Attachment 2)

## **COMMITTEE ACTIONS**

The committee recommends not formalizing a revenue estimating subcommittee in legislative rules because a subcommittee process may not be necessary if revenue estimates presented by the two offices are similar.

The committee recommends providing the following guidance to the taxation chairs if a subcommittee is appointed:

- Taxation committee chairs appoint subcommittee members;
- Equal party representation;
- Equal chamber representation;
- Senate member to serve as presiding officer; and
- Taxation chairs may not vote unless appointed as members of the subcommittee.

## **CALL TO ORDER AND ROLL CALL**

00:00:01 Sen. Barrett called the meeting to order at 1:04 p.m. The committee secretary called roll. **(Attachment 3)**

00:00:57 Sen. Barrett provided an overview of why the subcommittee on joint revenue estimating subcommittee was formed.

## **Should the subcommittee recommend a formalized joint revenue estimating subcommittee in rule or to the taxation committee chairs?**

00:04:20 Rep. Hertz said that the revenue estimate process used last session worked well. He is not in favor of putting the process into rule.

00:05:56 *Rep. Jacobson joined the meeting at 1:09 p.m.*

00:06:11 Sen. Blasdel said revenue estimating has been handled differently every session and that the Legislature was able to adapt in 2013 without adopting a revenue estimate.

00:08:35 Rep. Jacobson said that the efforts last session seemed to work, and thought the process worked well last interim, but he is also not opposed to codifying the process.

00:09:13 Sen. Barrett said that his general impression was that it was a useful process and particularly useful because there was a difference between the estimates from LFD and the Budget Office. He said he is inclined to allow the tax committees to proceed as they have in the past and does not think that this process should be put into rule.

## **Public Comment on Question 1**

00:12:54 Amy Carlson commented that what happened last session was successful and that people understood the underlying differences better than when they started.

00:13:57 Sen. Barrett discussed whether there should be a recommendation for formalizing a joint revenue estimating subcommittee and putting that into statute.

00:14:44 Rep. Jacobson discussed the benefits of forming a subcommittee on an ad hoc basis or as needed.

00:14:54 Sen. Barrett asked if what Rep. Jacobson is saying is that we would recommend to the taxation committee chairs that if they form a joint subcommittee as the need arose, that that subcommittee should look a certain way.

**Should the House member and Senate member votes be tallied together or separately?**

00:17:35 Sen. Barrett asked Ms. Moore about how votes were tallied.

00:17:56 Megan Moore said the interpretation that she and Mr. Coles came to last session was that they were in fact separate subcommittees and as such the votes were tallied separately. The way to become a joint subcommittee would be to make a rule change.

00:18:37 Sen. Barrett said that without a rule change, a subcommittee would have to tally the votes separately. He asked for comment on that process.

00:19:32 Sen. Blasdel said that if the committee is going to continue to view this as a subcommittee of the taxation committees, then it should be under the purview of the chair instead of the speaker and the committee on committees appointing members.

00:20:11 Rep. Hertz concurs with Sen. Blasdel.

**What should be the partisan composition of the subcommittee?**

00:20:10 Sen. Barrett said that the last time it was bipartisan.

00:20:39 Rep. Jacobson said it should be bipartisan.

00:21:27 Rep. Hertz said it depends on what authority the subcommittee would have.

00:21:30 Sen. Barrett asked Rep. Hertz if he is saying yes to bipartisan makeup as long as its function remains advisory.

**Should each chamber have equal membership?**

00:21:59 Rep. Jacobson said that equal membership from both chambers and equal representation from both parties makes the most sense. He concurs with Rep. Hertz that this is just a recommendation.

00:22:35 Sen. Bennett asked in which chamber should the presiding officer serve?

00:23:07 Rep. Hertz said to keep it past practice.

**Should the taxation committee chairs be voting members?**

00:23:20 Rep. Jacobson said they should remain as ex officio nonvoting members.

00:25:24 Ms. Moore said that Mr. Coles and she did not have clarity on this issue and that

it is something the members should think about now.

00:26:16 Rep. Hertz said that he doesn't think chairs should be voting members unless they are actually members of the committee.

00:26:45 Sen. Blasdel agreed.

Public Comment - none

**Recommendation**

00:27:35 Sen. Barrett summarized the discussion of the subcommittee: It is the subcommittee's opinion that this process was successful in the last session and was useful in resolving differences in the estimates. If needed, a joint subcommittee should be formed as a matter of course, that it should be bipartisan, should be appointed by the tax committee chairs, that each chamber should have equal membership, and that the presiding officer should be a senator, and that the taxation committee chairs should be members but nonvoting.

00:29:27 Rep. Hertz, Sen. Blasdel, and Rep. Jacobson concur with Sen. Barrett's summary.

00:30:20 Ms. Moore said she will draft the recommendation, send it to the members of the subcommittee for review, and include the recommendation in the June mailing.

**Adjournment**

00:30:36 Sen. Barrett adjourned the meeting at 1:34 p.m.