

## MINUTES

### **GOVERNOR'S TASK FORCE ON ENDOWMENTS AND PHILANTHROPY**

Northwest Power Planning Council Conference Room  
March 13, 2003

Present (at hearing and/or meeting):

Barbara Anthony	Aidan Myhre
Dale Burgeson	Dennis Peterson
Cheri Burns	Clark Pyfer
Linda Coulston	Linda Reed
Spence Hegstad	John Scibek
Amy Kelley	Jim Soft
Mark Kelley	Josh Turner (chair in Sue Talbot's absence)
Galen McKibben	

### NOTE

A hearing on [HB 616](#), the Montana Endowment Tax Credit<sup>1</sup>, was held at the Capitol beginning at 9 a.m. The committee had scheduled several bills for that session, and the hearing on HB 616 did not begin until 11:00. Rep. Younkin presented the bill; Aidan spoke as the first proponent. Several Task Force members and several others testified as proponents. There were no opponents present. The committee asked some questions of Rep. Younkin and of Jim Soft. They immediately took Executive Action on the bill and voted it out with a unanimous "Do Pass" recommendation. The bill was later heard on the Senate floor, where it passed on a 45-0 vote. The bill is now awaiting the Governor's signature. The Task Force thanks and congratulates Aidan for doing a fine job advocating the bill on behalf of the group.

Most of the Task Force members above attended the hearing; others showed up for the meeting at 10, where Josh Turner, in Sue Talbot's stead, ran the meeting until the rest of the group returned following the hearing.

### APPROVAL OF FEBRUARY MINUTES

Josh reported that Linda Coulston moved to accept the minutes as distributed; Mark seconded the motion. All present approved by voice vote.

### UPDATE ON OTHER BILLS

Aidan reported that Sen. Bohlinger's [SB 143](#), the Insurance Commissioner's bill to exempt from regulation certain charities that issue charitable gift annuities, passed the Senate and will soon have a hearing in the House. She said that Rep. Rick Maedje (Libby) made an amendment to the bill requiring that any nonprofit issuing a charitable gift annuity notify the donor if it has ever brought a lawsuit against the state or federal government in any way.

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<sup>1</sup> HB 616 (Rep. Cindy Younkin, R-Bozeman) would restore the tax credit for contributions to a qualified Montana endowment to the levels effective January 2002 (i.e. keeping the changes enacted by the 2001 legislature, but overturning changes enacted in the 2002 Special Session). Those are:

- 40% for individuals and estates making planned gifts
- 20% for corporations, S-corporations, partnerships, and limited liability companies making out right gifts
- Up to a maximum credit of \$10,000

Several Task Force members brought up examples where this amendment would be highly problematic. If the House passes the bill as amended, it would have to go back to another vote in the Senate. Aidan said that the bill sponsor would be offering an amendment to strike the Maedje amendment. If that is successful, and the bill passes the House, it would not have to go back to the Senate. [NOTE: The initial amendment was struck from the bill on the House floor, but another amendment was passed on the floor on March 19. The bill has returned to the Senate with the House amendment. (See [\(H\) 2nd Reading Motion to Amend Carried](#) for text of the amendment, and [SB 143](#) for the current bill status.)]

### **UPDATE ON FEDERAL C.A.R.E. ACT**

Amy reported that Steve Browning forwarded a very brief e-mail from Jon Selib noting that the CARE Act would likely hit the Senate floor on Thursday (March 6<sup>th</sup>). Jim said that if the CARE Act passed in its current form the IRA rollover would commence immediately for people aged 70 ½, but would not commence until January 2004 for people aged 50 ½, which Jim thought didn't make sense. He noted that the bill is very large, and explained that the sentiment behind it was to stimulate philanthropy nationally following 9/11.

### **FINANCIAL REPORT**

Linda passed out the Task Force financial statement prepared by the Montana Community Foundation for the period February 1<sup>st</sup> through February 28<sup>th</sup>. It showed contributions of \$1,950 (from Northern Rockies Cancer Center, Sheridan Health Care Foundation, St. Peters Hospital Foundation, North Valley Hospital, St. Luke Community Healthcare Foundation, and Community Medical Center Foundation) and \$713 in expenses, with an ending fund balance of \$8,734.61. It did not reflect March 2003 contributions, which included a donation from Intermountain Children's Home. Linda noted that DA Davidson has not yet sent the contribution they pledged; Jim will follow up with them. Linda said that MCF has compiled a report of all donors to the Task Force since its inception; she will forward that to Sue Talbot.

All agreed that the fundraising needs to continue. Aidan noted that, had the Task Force not initiated HB 616 and had it not passed, the tax credit might be in jeopardy – a good point to make to donors. Clark added that it will be much harder to raise funds once the legislative session is over. John pointed out that the legislature is already threatening a special session, which means the Task Force will likely need to fund a lobbyist next year.

### **WEB SITE UPDATE**

Galen reported that the only change that had been made to the web site since the last meeting was to change the LC number (bill draft) to HB 616 on Younkin's endowment tax credit bill. He said he was hesitant about simply cutting and pasting information from the e-communications going out to post on the web site without first being told what was appropriate for that venue. Galen suggested that he could set up a special area on the web site accessible by Linda Reed, Aidan, and any other interested Task Force members in which information could be reviewed before posting. This was further discussed when the whole group was gathered, and it was decided that it would be simpler for people simply to send information to Galen that they want posted.

### **COMMUNICATIONS**

Linda said that she would continue to post legislative updates as quickly as she can. Cheri noted that they have been reaching a lot of people; the CPAs are receiving it. Linda added that the Arts organizations are networked into it as well. John said that everyone he runs into who he thinks might have interest in these issues is already on the e-mail list. Barb suggested adding a request for funds on each e-alert. All agreed this was a very good idea; Linda will add that information to future alerts.

### **OTHER BUSINESS**

Amy read an e-mail from Steve Browning, who reported that he'd received a FAX from Mick Maerlie stating that he would be resigning as an Active Member of the Task Force, but that he would like to remain on as an Advisory Member. Mick suggested that the group ask Steve Daniel from Butte to replace him as a representative of the insurance sector. John thought he knew Mr. Daniel and said that he would contact him about membership.

### **NEXT MEETING**

It was tentatively agreed that the next meeting would be held on **Thursday, April 10, from 10 A.M. to 2 P.M. at the Northwest Power Planning Council**. Amy will notify members if this date changes. Meeting adjourned at 1 P.M.