

**ROLL CALL**  
**Taxation Committee**  
**House of Representatives**

Date: 3.31.07

NAME <i>(18 Members)</i>	PRESENT	ABSENT or EXCUSED
Chairman B. LAKE	✓	
Vice Chair J. SONJU	✓	
Vice Chair J. COHENOUR	✓	
Rep. N. BIXBY	✓	
Rep. M. BLASDEL	✓	
Rep. E. BUTCHER		✓
Rep. R. ERICKSON	✓	
Rep. W. GRINDE	✓	
Rep. R. HAMILTON	✓	
Rep. E. HILBERT	✓	
Rep. M. JOPEK	✓	
Rep. C. LAMBERT	✓	
Rep. G. MacLAREN	✓	
Rep. D. McALPIN	✓	
Rep. B. NOONEY	✓	
Rep. J.P. POMNICHOWSKI	✓	
Rep. J. ROSS	✓	
Rep. C. VINCENT	✓	



HOUSE STANDING COMMITTEE REPORT

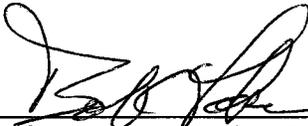
March 31, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Taxation** recommend that **House Bill 843** (first reading copy -- white) **do pass as amended.**

Signed: \_\_\_\_\_

  
Representative Bob Lake, Chair

**And, that such amendments read:**

1. Title, line 5.

**Strike:** "OWNED BY THE TAXPAYER THAT INCLUDES LAND"

2. Page 1, line 12 through line 13.

**Strike:** "the" on line 12 through "ownership" on line 13

**Insert:** "land"

3. Page 1, line 14 through line 15.

**Following:** "easement" on line 14

**Strike:** ", excluding" on line 14 through "easement" on line 15

4. Page 1, line 16 through line 17.

**Strike:** "(i)" on line 16 through "department." on line 17

**Insert:** "An owner or operator of a transmission line shall apply to the department for an exemption under this section on a form provided by the department."

**Following:** "description" on line 17

**Insert:** "and a digitized certificate of survey prepared by a surveyor registered with the board of professional engineers and professional land surveyors provided for in 2-15-1763"

5. Page 1, line 20 through line 21.

**Strike:** subsection (ii) in its entirety

6. Page 1, line 24.

**Strike:** "taxpayer"

**Insert:** "owner or operator of a transmission line"

- END -

**Committee Vote:**

Yes 17, No 1

Fiscal Note Required \_\_\_\_\_

690908SC.hjd

*John*  
3/31/07



## HOUSE STANDING COMMITTEE REPORT

March 31, 2007

Page 1 of 3

Mr. Speaker:

We, your committee on **Taxation** recommend that **Senate Bill 539** (third reading copy -- blue) **be concurred in as amended.**

Signed: \_\_\_\_\_

*Representative Bob Lake, Chair*

To be carried by Representative Jill Cohenour

**And, that such amendments read:**

1. Title, line 6.

**Following:** "ACCOUNT;"

**Insert:** "PROVIDING FOR DEPOSITS INTO THE ACCOUNT, INCLUDING A ONE-TIME TRANSFER FROM THE GENERAL FUND; PROVIDING FOR PAYMENTS FROM THE ACCOUNT;"

2. Title, line 17.

**Following:** "TIME;"

**Insert:** "PROVIDING A STATUTORY APPROPRIATION;"

3. Title, line 18.

**Strike:** the first "AND"

**Following:** "15-15-104,"

**Insert:** "AND 17-7-502,"

4. Page 5.

**Following:** line 8

**Insert:** "(6) Payments out of the account are statutorily appropriated, as provided in 17-7-502, to the department for the purposes of subsections (3) through (5)."

5. Page 15, line 22 through page 19, line 16.

**Strike:** section 10 in its entirety

**Renumber:** subsequent sections

6. Page 23.

**Committee Vote:**

**Yes 18, No 0**

**Fiscal Note Required**

690909SC.hjd

*John*  
3/31/07

Following: line 20

Insert: "Section 16. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition --  
requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-407; 5-13-403; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-1-113; 15-1-121; [section 5]; 15-23-706; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202; 23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-1-504; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-6-703; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-1-115; 90-1-205; 90-3-1003; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to Ch. 422, L. 1997, the inclusion of 15-1-111 terminates on July 1, 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and sacs. 3 and 6, Ch. 481, L. 2003, the inclusion of 15-35-108 terminates June 30, 2010; pursuant to sec. 7, Ch. 314, L. 2005, the inclusion of 23-4-105, 23-4-202, 23-4-204, 23-4-302, and

23-4-304 becomes effective July 1, 2007; and pursuant to sec. 17, Ch. 593, L. 2005, the inclusion of 15-31-906 terminates January 1, 2010.)""

**Renumber:** subsequent sections

7. Page 24, line 17.

**Insert:** "NEW SECTION. Section 18. General fund transfer -- limitations. (1) Subject to subsection (2), there is a one-time transfer of \$14.5 million from the general fund at the beginning of fiscal year 2008.

(2) In order to maintain an adequate general fund ending fund balance, if the office of budget and program planning projects an unreserved general fund balance of less than \$100 million during any year of the 2009 biennium, the office of budget and program planning may reduce the one-time transfer provided for in subsection (1) by requiring the department of revenue to transfer money from the property tax protest risk management account to the state general fund on a schedule that promotes statewide management goals for cash flow and fund balance."

**Renumber:** subsequent sections

8. Page 24, line 28.

**Strike:** "-- contingent voidness" on line 28

9. Page 24, line 29.

**Strike:** "[" through "are"

**Insert:** "[this act] is"

10. Page 24, line 30.

**Strike:** "and" through "void"

11. Page 25, line 1 through line 6.

**Strike:** subsection (2) in its entirety

**Insert:** "(2) [Section 18] is effective July 1, 2007."

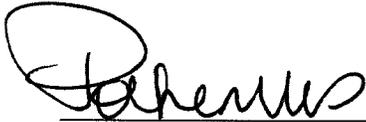
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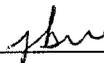
**COMMITTEE FILE COPY**

**TABLED BILL**

The **HOUSE TAXATION COMMITTEE** TABLED **HB 838, HB 842**, by motion, on **Saturday, March 31, 2007**.



\_\_\_\_\_  
(For the Committee)



\_\_\_\_\_  
(Chief Clerk of the House)

9:17 | 3/31

(Time) (Date)

March 31, 2007

Debra L. Polhemus, Secretary

Phone: 4877

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ROLL CALL VOTE  
Taxation Committee  
House of Representatives

Date: 3.31.07  
 Bill No.: NB842  
 Motion No. : \_\_\_\_\_  
 Motion: do pass

NAME (18 Members)	AYE	NO	Proxy
Vice Chair J. SONJU		✓	
Vice Chair J. COHENOUR		✓	
Rep. W. GRINDE		✓	
Rep. B. NOONEY		✓	
Rep. D. McALPIN	✓		
Rep. G. MacLAREN		✓	
Rep. N. BIXBY	✓		
Rep. C. LAMBERT		✓	
Rep. J.P. POMNICHOWSKI	✓		
Rep. E. HILBERT		✓	
Rep. C. VINCENT		✓	
Rep. M. JOPEK		✓	
Rep. E. BUTCHER		✓	✓
Rep. R. ERICKSON	✓		
Rep. M. BLASDEL		✓	
Rep. R. HAMILTON		✓	
Rep. J. ROSS		✓	
Chairman B. LAKE		✓	

VOTE: 4-14 fails

ROLL CALL VOTE  
Taxation Committee  
House of Representatives

Date: 3.31.07

Bill No.: HB 838

Motion No.: \_\_\_\_\_

Motion: do pass

NAME (18 Members)	AYE	NO	Proxy
Vice Chair J. SONJU		✓	
Vice Chair J. COHENOUR	✓		
Rep. W. GRINDE	✓		
Rep. B. NOONEY		✓	
Rep. D. McALPIN	✓		
Rep. G. MacLAREN		✓	
Rep. N. BIXBY	✓		
Rep. C. LAMBERT		✓	
Rep. J.P. POMNICHOWSKI	✓		
Rep. E. HILBERT		✓	
Rep. C. VINCENT		✓	
Rep. M. JOPEK	✓		
Rep. E. BUTCHER		✓	✓
Rep. R. ERICKSON	✓		
Rep. M. BLASDEL		✓	
Rep. R. HAMILTON	✓		
Rep. J. ROSS		✓	
Chairman B. LAKE		✓	

VOTE: 8-10 fails

# AUTHORIZED COMMITTEE PROXY

I request to be excused from the Taxation

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. J. Sonju

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 842:					
be amended		✓			
do pass		✓			
be tabled/vote rev.	✓				
HB 843:					
be amended	✓				
do pass as am.	✓				
SB 539:					
be amended	✓				
be conc. as amd.	✓				
HB 838:					
do pass		✓			
be tabled/vote rev.	✓				

3/30

↓

Rep. Edward Butcher  
(Signature)

Date 3/31/07

Rep. E. Butcher