

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON TAXATION

**Call to Order:** Chair Mike Miller, on March 8, 2013 at 9:00 A.M., in Room 152 Capitol

#### ROLL CALL

**Members Present:**

Rep. Mike Miller, Chair (R)  
Rep. Kelly Flynn, Vice Chair (R)  
Rep. JP Pomnichowski, Vice Chair (D)  
Rep. Douglas Coffin (D)  
Rep. Wylie Galt (R)  
Rep. Kris Hansen (R)  
Rep. Brian Hoven (R)  
Rep. Tom Jacobson (D)  
Rep. Steve Lavin (R)  
Rep. Ed Lieser (D)  
Rep. Edith (Edie) McClafferty (D)  
Rep. Mary McNally (D)  
Rep. Lee Randall (R)  
Rep. Alan Redfield (R)  
Rep. Nicholas Schwaderer (R)  
Rep. Kerry White (R)  
Rep. Kathleen Williams (D)  
Rep. Nancy Wilson (D)

**Members Excused:** Rep. Austin Knudsen (R)  
Rep. Daniel Zolnikov (R)

**Members Absent:** None

**Staff Present:** Megan Moore, Legislative Branch  
Rebecca Shaw, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 81, 3/5/2013  
Executive Action: HB 408, HB 523, HB 526

00:12:50 Chair Miller

**EXECUTIVE ACTION ON HB 408**

00:13:48 **Motion:** Rep. Miller moved that **HB 408 DO PASS.**

**Discussion:**

00:14:06 Rep. Knudsen entered.

00:14:13 Rep. Pomnichowski

00:15:26 Rep. Williams

00:15:48 Megan Moore, Legislative Research Analyst, Legislative Services Division (LSD)

00:16:17 Rep. Williams

00:17:15 **Vote:** Motion carried 13-7 by roll call vote with Rep. Coffin, Rep. Lieser, Rep. McClafferty, Rep. McNally, Rep. Pomnichowski, Rep. Williams and Rep. Wilson voting no. Rep. Zolnikov voted by proxy.

**EXECUTIVE ACTION ON HB 523**

00:18:19 **Motion:** Rep. Schwaderer moved that **HB 523 DO PASS.**

00:18:39 Rep. Zolnikov entered.

00:19:16 **Motion:** Rep. Schwaderer moved that **HB 523 BE AMENDED.**  
**EXHIBIT(tah50a01)**

**Discussion:**

00:19:40 Megan Moore, LSD

00:20:04 Rep. Schwaderer

00:21:21 Rep. Williams

00:21:58 Rep. Schwaderer

00:22:18 Megan Moore, LSD

00:23:21 **Vote:** Motion carried unanimously, 20-0, by roll call vote.

00:24:27 **Motion:** Rep. Schwaderer moved that **HB 523 DO PASS AS AMENDED.**

**Discussion:**

00:25:04 Rep. Pomnichowski

00:27:17 Chair Miller

00:27:46 Rep. Pomnichowski

00:28:57 Rep. Schwaderer

00:32:42 Rep. Coffin

00:33:54 Rep. Williams

00:34:32 Rep. Schwaderer

00:35:58 Rep. Williams

00:36:59 Rep. Hoven

00:37:42 Rep. Flynn

00:39:11 **Vote:** Motion carried 12-8 by roll call vote with Rep. Coffin, Rep. Jacobson, Rep. Lieser, Rep. McClafferty, Rep. McNally, Rep. Pomnichowski, Rep. Williams and Rep. Wilson voting no.

### **EXECUTIVE ACTION ON HB 526**

00:40:39 **Motion:** Rep. Flynn moved that **HB 526 DO PASS**.

#### **Discussion:**

00:40:44 Megan Moore, LSD

00:40:48 Rep. Pomnichowski

00:41:48 **Vote:** Motion failed 9-11 by roll call vote with Rep. Coffin, Rep. Hoven, Rep. Jacobson, Rep. Lieser, Rep. McClafferty, Rep. McNally, Rep. Pomnichowski, Rep. Williams and Rep. Wilson voting aye.

00:43:09 **Motion/Vote:** Rep. Flynn moved that **HB 526 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

00:43:44 Recessed

01:06:44 Reconvened: Rep. Randall, Rep. Zolnikov and Rep. Hansen absent.

### **EXECUTIVE ACTION ON HB 339**

01:07:23 **Motion/Vote:** Rep. Pomnichowski moved that **HB 339 BE TABLED**. Motion carried 18-0 by voice vote.

01:08:31 Rep. Zolnikov and Rep. Hansen entered.

### **HEARING ON SB 81**

#### **Opening Statement by Sponsor:**

01:08:30 Sen. Dave Lewis (R), SD 42, opened the hearing on SB 81, Provide tax credits for contributions to scholarship organizations.

#### **Proponents' Testimony:**

01:23:27 Jeff Laszloffy, President, Montana Family Foundation (MFF)

#### **EXHIBIT(tah50a02)**

01:33:12 Joe Pena, Citizen, Whitefish

01:36:28 Patrick McCain, Citizen

01:37:41 Trent Neumann, Citizen, Kalispell

01:41:07 Moe Wosepka, Director, Montana Catholic Conference

01:44:33 Rebecca Neumann, Citizen, Kalispell

01:48:11 Denise Bassett, Citizen, Livingston

01:53:59 Pat Wagman, MFF

#### **EXHIBIT(tah50a03)**

#### **Opponents' Testimony:**

02:07:27 Jim Molloy, Senior Policy Advisor, Governor's Office (GOV)

02:09:29 Dennis Parman, Deputy Superintendent, Office Public Information (OPI)

02:30:16 Pam Ellis, American Association University Women  
 02:35:31 Mary Gernaat, Retired Teacher, Great Falls  
 02:37:03 Chris Seifert, Citizen, Bozeman  
 02:39:10 Corlann Bush, Montana Women's Lobby  
 02:41:18 Walter Gulick, Citizen, Billings  
 02:43:22 Lance Melton, Executive Director, Montana School Board Association  
 02:50:07 Rep. Coffin  
 02:50:36 Marco Ferro, Public Policy Director, Montana Education Association and the  
 Montana Federation of Teachers (MEA-MFT)  
 02:53:40 Kirk Miller, Executive Director, School Administrators of Montana (SAM)  
 03:02:50 Dave Puyear, Executive Director, Montana Rural Education Association (MREA)  
 03:05:28 Niki Zupanic, Public Policy Director, American Civil Liberties Union of Montana  
 (ACLU)

**EXHIBIT(tah50a04)**

**Informational Testimony:**

03:07:23 Gene Walborn, Department of Revenue

**Questions from Committee Members and Responses:**

03:07:58 Rep. Coffin  
 03:09:59 Sen. Lewis  
 03:11:06 Rep. Coffin  
 03:12:03 Sen. Lewis  
 03:12:28 Rep. Coffin  
 03:14:28 Rep. McClafferty  
 03:14:44 Gene Walborn, DOR  
 03:16:40 Rep. McClafferty  
 03:18:41 Sen. Lewis  
 03:21:23 Rep. Schwaderer  
 03:22:09 Sen. Lewis  
 03:22:30 Megan Moore, LSD  
 03:22:47 Rep. Schwaderer  
 03:23:21 Niki Zupanic, ACLU  
 03:25:13 Rep. Schwaderer  
 03:26:00 Niki Zupanic, ACLU  
 03:27:13 Rep. Hansen  
 03:29:47 Dennis Parman, OPI  
 03:33:12 Rep. Hansen  
 03:34:23 Dennis Parman, OPI  
 03:34:38 Rep. Hansen  
 03:35:07 Kirk Miller, SAM  
 03:35:53 Rep. Hansen  
 03:35:58 Kirk Miller, SAM  
 03:35:59 Rep. Hansen  
 03:36:09 Kirk Miller, SAM  
 03:37:24 Rep. Hansen  
 03:37:57 Kirk Miller, SAM  
 03:38:17 Rep. Jacobson  
 03:39:16 Pat Wagman, MFF  
 03:40:35 Rep. Jacobson

03:40:41 Pat Wagman, MFF  
03:41:22 Rep. Jacobson  
03:41:41 Sen. Lewis  
03:43:36 Chair Miller  
03:44:26 Sen. Lewis  
03:44:31 Chair Miller  
03:44:38 Sen. Lewis

**Closing by Sponsor:**

03:44:55 Sen. Lewis

03:49:29 Chair Miller

**ADJOURNMENT**

Adjournment: 03:51:08

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Rebecca Shaw, Secretary

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Additional Documents:

**EXHIBIT([tah50aad.pdf](#))**