

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Mike Miller, on March 25, 2013 at 9:30 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. Austin Knudsen (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)
Rep. Daniel Zolnikov (R)

Members Excused: Rep. Steve Lavin (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:

Executive Action: HB 532, HB 443, HB 581, SB 179, SB 269, SB 81

00:26:27 Chair Miller
00:26:33 Stephanie Morrison, Fiscal Analyst II, Legislative Fiscal Division (LFD)

EXECUTIVE ACTION ON HB 581

00:27:06 **Motion:** Rep. Hansen moved that **HB 581 DO PASS.**

00:27:12 **Motion:** Rep. Hansen moved that **HB 581 BE AMENDED.**
EXHIBIT(tah64a01)

Discussion:

00:28:47 Megan Moore, Research Analyst, Legislative Services Division (LSD)

00:28:50 **Vote:** Motion carried 19-0 by voice vote. Rep. Lavin did not vote.

00:28:58 **Motion:** Rep. Hansen moved that **HB 581 DO PASS AS AMENDED.**

00:29:05 **Motion:** Rep. Hansen moved that **HB 581 BE AMENDED.**
EXHIBIT(tah64a02)

Discussion:

00:32:12 Rep. Pomnichowski
00:32:55 Rep. Hansen
00:32:59 Rep. Pomnichowski
00:33:04 Rep. Hansen
00:35:25 Rep. Pomnichowski
00:35:31 Rep. Hansen
00:35:56 Rep. Pomnichowski
00:36:35 Rep. Hansen
00:36:41 Rep. Pomnichowski
00:37:46 Rep. Hansen
00:38:51 Rep. Pomnichowski
00:40:22 Rep. Hoven
00:42:01 Rep. Hansen
00:42:52 Rep. Hoven
00:42:57 Rep. Schwaderer
00:43:26 Chair Miller
00:44:15 Rep. Schwaderer
00:44:43 Rep. Coffin
00:45:11 Rep. Hansen
00:45:30 Rep. Williams
00:46:19 Rep. Hansen
00:47:51 Rep. Williams

00:50:38 **Vote:** Motion carried 17-3 by roll call vote with Rep. Redfield, Rep. Schwaderer and Rep. Zolnikov voting no. Rep. Lavin voted by proxy.

00:50:42 **Motion:** Rep. Hansen moved that **HB 581 DO PASS AS AMENDED.**

00:50:47 **Motion:** Rep. Hansen moved that **HB 581 BE AMENDED.**
EXHIBIT(tah64a03)

Discussion:

00:51:43 Rep. Coffin
00:52:13 Rep. Hansen
00:52:51 Rep. Coffin
00:53:09 Chair Miller
00:53:22 Stephanie Morrison, LFD
00:53:35 Rep. Schwaderer
00:54:54 Chair Miller
00:55:12 Rep. Schwaderer
00:55:47 Rep. Hansen
00:56:09 Megan Moore, Research Analyst, Legislative Services Division (LSD)
00:56:50 Rep. Coffin
00:57:28 Rep. Hansen
00:58:23 Rep. Coffin
00:58:28 Megan Moore, LSD
00:59:28 Stephanie Morrison, LFD
01:00:19 Rep. Coffin
01:01:38 Rep. Hansen

01:02:12 **Motion/Vote:** Rep. Hansen moved to **WITHDREW AMENDMENT** on **HB 581.**
Motion carried unanimously by voice vote. Rep. Lavin did not vote.

01:02:24 **Motion:** Rep. Hoven moved that **HB 581 BE AMENDED.**
EXHIBIT(tah64a04)

Discussion:

01:03:29 Rep. Williams
01:03:56 Rep. Hansen
01:05:03 Rep. Williams
01:05:08 Rep. Hansen

01:06:05 **Vote:** Motion carried 16-3 by voice vote with Rep. Redfield, Rep. Schwaderer
and Rep. Zolnikov voting no. Rep. Lavin did not vote.

01:06:41 **Motion:** Rep. Flynn moved that **HB 581 DO PASS AS AMENDED.**

01:07:01 **Motion:** Rep. Hoven moved that **HB 581 BE AMENDED.**
EXHIBIT(tah64a05)

Discussion:

01:08:33 Rep. Hansen
01:09:47 Rep. Redfield
01:10:05 Rep. Pomnichowski
01:11:44 Rep. Lieser
01:12:32 Rep. Williams
01:13:52 Rep. Flynn

01:14:39 **Vote:** Motion carried 10-9 by roll call vote with Rep. Galt, Rep. Hansen, Rep. Knudsen, Rep. Miller, Rep. Randall, Rep. Redfield, Rep. Schwaderer, Rep. White and Rep. Zolnikov voting no. Rep. Lavin did not vote.

01:16:42 **Motion:** Rep. Hansen moved that **HB 581 BE AMENDED.**
(Exhibit 3)

Discussion:

01:17:08 Megan Moore, LSD
01:18:59 Rep. Hansen
01:20:13 Chair Miller
01:20:21 Rep. Pomnichowski
01:20:29 Rep. Hansen
01:21:35 Rep. Pomnichowski
01:22:32 Rep. Hansen
01:22:38 Chair Miller
01:23:45 Rep. Pomnichowski
01:23:52 Rep. Hansen
01:25:21 Megan Moore, LSD
01:26:11 Rep. Hansen
01:26:23 Rep. White
01:26:40 Chair Miller
01:26:47 Megan Moore, LSD
01:27:19 Chair Miller
01:27:24 Megan Moore, LSD

01:27:53 **Vote:** Motion carried 15-4 by roll call vote with Rep. Coffin, Rep. McClafferty, Rep. Schwaderer and Rep. Zolnikov voting no. Rep. Lavin did not vote.

01:27:55 **Motion:** Rep. Pomnichowski moved that **HB 581 BE AMENDED.**
[EXHIBIT\(tah64a06\)](#)

Discussion:

01:32:13 Rep. Randall
01:32:57 Rep. Williams
01:32:57 Rep. Lavin entered.
01:33:47 Rep. White

01:34:56 **Vote:** Motion carried 12-7 by voice vote with Rep. Galt, Rep. Lavin, Rep. Randall, Rep. Redfield, Rep. Schwaderer, Rep. White and Rep. Zolnikov voting no. Rep. Lavin did not vote.

01:35:36 **Motion:** Rep. Hansen moved that **HB 581 DO PASS AS AMENDED.**

Discussion:

01:36:17 Rep. Schwaderer
01:37:33 Rep. Redfield
01:37:49 Rep. Flynn
01:38:43 Rep. Pomnichowski
01:40:59 Rep. Coffin

01:42:08 Rep. Hoven
 01:42:34 Rep. Lieser

01:43:15 **Vote:** Motion carried 17-3 by roll call vote with Rep. McClafferty, Rep. Pomnichowski and Rep. Wilson voting no. Rep. Lavin voted by proxy.

01:49:00 Recessed
 01:54:11 Reconvened. Rep. Jacobson, Rep. Lieser, Rep. Hansen and Rep. Zolnikov excused.

EXECUTIVE ACTION ON HB 532

01:54:37 **Motion/Vote:** Rep. Flynn moved that **HB 532 BE TABLED**. Motion carried 17-3 by voice vote with Rep. Redfield, Rep. Schwaderer and Rep. Zolnikov voting no. Rep. Jacobson, Rep. Lieser, Rep. Hansen and Rep. Zolnikov voted by proxy.

EXECUTIVE ACTION ON SB 81

01:56:09 **Motion:** Rep. Flynn moved that **SB 81 BE CONCURRED IN**.

Discussion:

01:56:20 Reps. Hansen, Jacobson and Lieser entered.
 01:56:26 Rep. Coffin
 01:56:50 Rep. Schwaderer
 01:57:07 Rep. McClafferty
 01:58:26 Rep. Williams
 01:59:25 Rep. McNally
 02:00:11 Rep. Hansen
 02:01:27 Rep. Coffin
 02:02:43 Chair Miller

02:03:09 **Vote:** Motion carried 11-8 by roll call vote with Rep. Coffin, Rep. Jacobson, Rep. Lieser, Rep. McClafferty, Rep. McNally, Rep. Pomnichowski, Rep. Williams and Rep. Wilson voting no. Rep. Lavin voted by proxy. Rep. Zolnikov did not vote. Rep. Hansen will carry the bill.

EXECUTIVE ACTION ON SB 179

02:05:16 **Motion:** Rep. Flynn moved that **SB 179 BE CONCURRED IN**.

Discussion:

02:05:28 Rep. Pomnichowski
 02:06:15 Rep. Schwaderer
 02:06:59 Rep. Lieser

02:07:26 **Vote:** Motion carried 19-0 by voice vote. Rep. Zolnikov did not vote. Rep. Pomnichowski will carry the bill.

02:08:15 Rep. Hansen left.

EXECUTIVE ACTION ON SB 269

- 02:07:51 **Motion:** Rep. Flynn moved that **SB 269 BE CONCURRED IN.**
- 02:09:33 **Motion/Vote:** Rep. Flynn moved that **SB 269 BE AMENDED.** Motion carried 18-1 by roll call vote with Rep. Coffin voting no. Rep. Hansen voted by proxy. Rep. Zolnikov did not vote.
- 02:11:32 **Motion:** Rep. Flynn moved that **SB 269 BE CONCURRED IN AS AMENDED.**

Discussion:

- 02:11:39 Rep. Pomnichowski
- 02:13:44 **Vote:** Motion carried 11-8 by roll call vote with Rep. Coffin, Rep. Jacobson, Rep. Lieser, Rep. McClafferty, Rep. McNally, Rep. Pomnichowski, Rep. Williams and Rep. Wilson voting no. Rep. Hansen voted by proxy. Rep. Zolnikov did not vote. Rep. Miller will carry the bill.

Discussion:

- 02:15:45 Rep. Williams
- 02:15:53 Rep. Pomnichowski
- 02:16:02 Chair Miller
- 02:16:43 Rep. Pomnichowski
- 02:16:59 **Motion:** Rep. Williams moved to **REFER SB 269 TO HOUSE APPROPRIATIONS.**

Discussion:

- 02:17:19 Rep. Randall
- 02:18:59 **Vote:** Motion failed 8-11 by roll call vote with Rep. Coffin, Rep. Jacobson, Rep. Lieser, Rep. McClafferty, Rep. McNally, Rep. Pomnichowski, Rep. Williams and Rep. Wilson voting aye. Rep. Hansen voted by proxy.
- 02:19:25 Rep. Randall
- 02:20:03 Rep. Pomnichowski
- 02:20:05 Rep. Jacobson left.

EXECUTIVE ACTION ON HB 443

- 02:21:36 **Motion:** Rep. Flynn moved that **HB 443 DO PASS.**
- 02:22:23 **Motion:** Rep. Flynn moved that **HB 443 BE AMENDED.**
EXHIBIT(tah64a07)

Discussion:

- 02:22:31 Megan Moore, LSD
- 02:23:11 Rep. Pomnichowski

02:24:48 **Vote:** Motion carried unanimously by voice vote. Rep. Hansen and Rep. Jacobson voted by proxy.

02:24:54 **Motion:** Rep. Flynn moved that **HB 443 DO PASS AS AMENDED.**

Discussion:

02:25:15 Rep. Wilson

02:26:08 Rep. Hoven

02:27:13 Rep. McNally

02:27:55 Rep. Flynn

02:28:41 Rep. Lieser

02:29:06 **Vote:** Motion carried 15-4 by roll call vote with Rep. Coffin, Rep. Hoven, Rep. McNally and Rep. Wilson voting no. Rep. Hansen and Rep. Jacobson voted by proxy. Rep. Zolnikov did not vote.

ADJOURNMENT

Adjournment: 02:32:00

Rebecca Shaw, Secretary

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Additional Documents:

EXHIBIT([tah64aad.pdf](#))