

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Mike Miller, on February 13, 2015 at 9:00 A.M., in Room 152
Capitol

ROLL CALL

Members Present:

Rep. Mike Miller, Chair (R)
Rep. Greg Hertz, Vice Chair (R)
Rep. Kathleen Williams, Vice Chair (D)
Rep. Zach Brown (D)
Rep. Geraldine Custer (R)
Rep. Mary Ann Dunwell (D)
Rep. Kelly Flynn (R)
Rep. Tom Jacobson (D)
Rep. Steve Lavin (R)
Rep. Ed Lieser (D)
Rep. Edith (Edie) McClafferty (D)
Rep. Albert Olszewski (R)
Rep. Lee Randall (R)
Rep. Alan Redfield (R)
Rep. Nicholas Schwaderer (R)
Rep. Nancy Wilson (D)
Rep. Daniel Zolnikov (R)

Members Excused:

Rep. Bridget Smith (D)
Rep. Kerry White (R)
Rep. Rob Cook (R)

Members Absent: None

Staff Present: Megan Moore, Legislative Branch
Erica Siate, Committee Secretary
Stephanie Morrison, Legislative Branch

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 on: HB 359; HB 156; HB 228; HB 276; HB 310; HB 361; HB 368

00:00:01 Chair Miller

Committee Business:

00:01:54 Gene Walborn, Deputy Director, Department of Revenue (DOR)

EXHIBIT(tah33a01)

00:07:13 Rep. Williams

00:07:18 Gene Walborn, DOR

00:12:51 Rep. Lieser

00:13:29 Gene Walborn, DOR

00:14:31 Chair Miller

00:14:55 Gene Walborn, DOR

00:16:41 Rep. Cook entered the meeting.

00:19:01 Chair Miller

00:19:07 Gene Walborn, DOR

00:22:07 Chair Miller

00:22:18 Gene Walborn, DOR

00:32:13 Chair Miller

00:32:19 Rep. Dunwell

00:32:51 Gene Walborn, DOR

00:34:09 Rep. Hertz

00:34:25 Gene Walborn, DOR

00:36:11 Rep. Zolnikov

00:36:34 Gene Walborn, DOR

00:37:28 Chair Miller

00:37:35 Gene Walborn, DOR

00:37:53 Chair Miller

00:38:15 Gene Walborn, DOR

00:38:48 Chair Miller

00:39:03 Rep. Schwaderer

00:40:02 Gene Walborn, DOR

00:40:43 Rep. Custer

00:41:11 Gene Walborn, DOR

00:41:56 Rep. Williams

00:42:16 Gene Walborn, DOR

00:43:18 Chair Miller

00:43:31 Stephanie Morrison, Legislative Fiscal Division (LFD)

EXHIBIT(tah33a02)

00:52:59 Chair Miller

00:53:08 Recessed

01:04:22 Reconvened

01:04:38 Chair Miller

01:04:46 Chair Hertz

EXECUTIVE ACTION ON HB 156

01:04:54 **Motion:** Rep. Miller moved that **HB 156 DO PASS.**

01:05:06 **Motion:** Rep. Miller moved that **HB 156 BE AMENDED.**
EXHIBIT(tah33a03)

Discussion:

01:05:30 Chair Hertz
01:05:37 Rep. Miller
01:06:03 Rep. Williams
01:07:21 Rep. Miller
01:07:35 Rep. Williams
01:07:49 Rep. Lieser
01:07:55 Rep. Miller
01:08:24 Chair Hertz

01:08:51 **Vote:** Motion carried 12-8 by roll call vote with Rep. Brown, Rep. Dunwell, Rep. Jacobson, Rep. Lieser, Rep. McClafferty, Rep. Smith, Rep. Williams and Rep. Wilson voting no. Rep. Smith and Rep. White voted by proxy.

01:10:41 **Motion:** Rep. Miller moved that **HB 156 DO PASS AS AMENDED.**

01:10:56 **Motion:** Rep. Miller moved that **HB 156 BE AMENDED.**
EXHIBIT(tah33a04)

Discussion:

01:11:50 Megan Moore, Legislative Services Division (LSD)
01:11:59 Rep. Williams
01:13:18 Rep. Cook
01:13:28 Megan Moore, LSD
01:13:52 Rep. Williams

01:16:45 **Vote:** Motion carried 11-9 by roll call vote with Rep. Brown, Rep. Cook, Rep. Dunwell, Rep. Jacobson, Rep. Lieser, Rep. McClafferty, Rep. Smith, Rep. Williams and Rep. Wilson voting no. Rep. Smith and Rep. White voted by proxy.

01:16:47 **Motion:** Rep. Miller moved that **HB 156 DO PASS AS AMENDED.**

01:17:01 **Motion:** Rep. Miller moved that **HB 156 BE AMENDED.**
EXHIBIT(tah33a05)

Discussion:

01:17:16 Megan Moore, LSD
01:18:02 Rep. Miller
01:18:26 Rep. Z. Brown
01:18:44 Rep. Miller
01:18:55 Rep. Williams

01:19:30 **Vote:** Motion carried 18-2 by voice vote with Rep. Dunwell and Rep. Wilson voting no. Rep. Smith and Rep. White voted by proxy.

01:20:12 **Motion:** Rep. Miller moved that **HB 156 DO PASS AS AMENDED.**

Discussion:

01:20:34 Rep. Dunwell
01:21:14 Rep. Jacobson
01:22:24 Rep. Williams
01:22:48 Rep. Miller
01:23:11 Rep. Williams
01:24:43 Rep. Schwaderer
01:25:30 Rep. Wilson
01:26:59 Rep. Miller

01:27:39 **Vote:** Motion carried 16-4 by roll call vote with Rep. Dunwell, Rep. Lieser, Rep. Williams and Rep. Wilson voting no. Rep. Smith and Rep. White voted by proxy.

01:29:13 Chair Hertz
01:29:20 Chair Miller

EXECUTIVE ACTION ON HB 228

01:29:42 **Motion:** Rep. Hertz moved that **HB 228 DO PASS.**

Discussion:

01:29:54 Megan Moore, Legislative Services Division (LSD)
01:30:24 Rep. Zolnikov
01:30:47 Rep. Custer
01:31:35 Rep. Jacobson
01:31:54 Rep. Lieser

01:32:31 **Vote:** Motion carried unanimously by voice vote. Rep. Smith and Rep. White voted by proxy.

EXECUTIVE ACTION ON HB 276

01:33:05 **Motion:** Rep. Hertz moved that **HB 276 DO PASS.**

Discussion:

01:34:24 Chair Miller
01:34:51 Rep. Zolnikov
01:35:02 Rep. Williams
01:35:42 Rep. Dunwell
01:36:12 Rep. Schwaderer
01:36:54 Rep. Z. Brown
01:37:26 Rep. Custer
01:38:52 Rep. Zolnikov

- 01:39:28 **Vote:** Motion failed 4-16 by roll call vote with Rep. Hertz, Rep. Randall, Rep. Schwaderer and Rep. Zolnikov voting aye. Rep. Smith and Rep. White voted by proxy.
- 01:41:35 **Motion/Vote:** Rep. Hertz moved that **HB 276 BE TABLED**. Motion carried 18-0 by voice vote.

EXECUTIVE ACTION ON HB 310

- 01:41:48 **Motion:** Rep. Jacobson moved that **HB 310 DO PASS**.
[EXHIBIT\(tah33a06\)](#)

Discussion:

- 01:43:56 Stephanie Morrison, Legislative Fiscal Division (LFD)
01:47:06 Rep. Jacobson
01:49:05 Rep. Lieser
01:50:22 Rep. Zolnikov
01:52:20 Rep. Jacobson
01:52:55 Rep. Custer
[EXHIBIT\(tah33a07\)](#)
01:54:56 Rep. Hertz
01:55:59 Rep. Jacobson
01:57:07 Chair Miller
01:57:11 Stephanie Morrison, LFD
01:58:14 Rep. Randall
01:59:21 Rep. Hertz
01:59:43 Rep. Williams
02:01:16 Chair Miller
02:01:45 Rep. Custer
02:02:36 Rep. Jacobson

- 02:03:34 **Vote:** Motion carried 11-9 by roll call vote with Rep. Cook, Rep. Flynn, Rep. Hertz, Rep. Miller, Rep. Randall, Rep. Redfield, Rep. Schwaderer, Rep. White and Rep. Zolnikov voting no. Rep. Smith and Rep. White voted by proxy.

EXECUTIVE ACTION ON HB 359

- 02:05:29 **Motion:** Rep. Lieser moved that **HB 359 DO PASS**.

Discussion:

- 02:05:43 Rep. Hertz
02:05:56 Rep. Lieser

02:06:17 **Vote:** Motion carried 17-3 by voice vote with Rep. Schwaderer, Rep. Smith and Rep. Zolnikov voting no. Rep. Smith and Rep. White voted by proxy.

02:06:40 Rep. Z. Brown

02:07:13 Megan Moore, Legislative Services Division (LSD)

EXECUTIVE ACTION ON HB 361

02:08:05 **Motion:** Rep. Schwaderer moved that **HB 361 DO PASS.**

Discussion:

02:08:21 Rep. Zolnikov

02:08:32 **Substitute Motion/Vote:** Rep. Hertz made a substitute motion that **HB 361 BE TABLED.** Substitute Motion carried unanimously by voice vote. Rep. Smith and Rep. White voted by proxy.

EXECUTIVE ACTION ON HB 368

02:09:26 **Motion:** Rep. Schwaderer moved that **HB 368 DO PASS.**

Discussion:

02:09:52 Rep. Hertz

02:10:39 **Substitute Motion/Vote:** Rep. Hertz made a substitute motion that **HB 368 BE TABLED.** Substitute Motion carried unanimously by voice vote. Rep. Smith and Rep. White voted by proxy.

02:11:51 Chair Miller

02:12:58 Rep. Z. Brown

ADJOURNMENT

Adjournment: 02:13:26

Erica Siate, Secretary

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Additional Documents:

EXHIBIT([tah33aad.pdf](#))