

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By Chairman Bob Lake, on March 21, 2007 at 8:00 A.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Bob Lake, Chairman (R)
Rep. Jill Cohenour, Vice Chairman (D)
Rep. Jon Sonju, Vice Chairman (R)
Rep. Norma Bixby (D)
Rep. Mark Blasdel (R)
Rep. Edward B. Butcher (R)
Rep. Ron Erickson (D)
Rep. Carol Lambert (R)
Rep. Wanda Grinde (D)
Rep. Robin Hamilton (D)
Rep. Edward Hilbert (R)
Rep. Mike Jopek (D)
Rep. Gary MacLaren (R)
Rep. Dave McAlpin (D)
Rep. Bill Nooney (R)
Rep. JP Pomnichowski (D)
Rep. John (Jack) W. Ross (R)
Rep. Chas Vincent (R)

Members Excused: None.

Members Absent: None.

Staff Present: Jeff Martin, Legislative Branch
Katie Butcher, 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: SB 487, HB 822, HB 823, HB 824
Executive Action: SB 150, SB 378, HB 463, HB 799

HEARING ON SB 487

Opening Statement by Sponsor:

00:01:38 Sen. Bob Story (R), SD 30, opened the hearing on SB 487, Require tax information agents report certain real estate transactions.

Proponents' Testimony:

00:04:38 Bill Gowen, Helena Abstract and Title, Montana Land and Title Legislative Committee

[EXHIBIT\(tah60a01\)](#)

[EXHIBIT\(tah60a02\)](#)

00:08:35 Holly Franz, Montana Society of CPA's

00:09:01 Joe Roberts, Montana Association of Realtors

00:09:56 David Hunter, Department of Revenue (DOR)

00:13:39 Mary Wittinghill, Montana Taxpayers Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:16:32 Rep. Sonju

00:16:50 Mr. Hunter, DOR

00:21:52 Rep. Butcher

00:22:52 Mr. Hunter, DOR

00:24:56 Rep. Erickson

00:27:24 Mr. Hunter, DOR

00:27:36 Rep. Hilbert

00:27:45 Rep. Erickson

00:28:03 Mr. Hunter, DOR

00:28:40 Rep. MacLaren

00:28:50 Mr. Hunter, DOR

00:30:00 Rep. Nooney

00:30:31 Mr. Hunter, DOR

00:33:02 Rep. Lake

00:33:22 Mr. Hunter, DOR

Closing by Sponsor:

00:37:34 Sen. Story

Discussion:

00:41:36 Rep. Cohenour

00:41:55 Rep. Lake

00:42:14 Mr. Hunter

HEARING ON HB 824

Opening Statement by Sponsor:

00:42:26 Rep. Pat Ingraham (R), HD 13, opened the hearing on HB 824, Exempt military pensions from state income tax.

Proponents' Testimony:

00:45:28 Colonel Jim Jacobson, Montana American Legion
00:51:49 Chief Master Roger Hagen, Montana National Guard
00:54:22 Dan Antonietti, Veterans of Foreign Wars (VFW)
00:55:20 Sergeant Fred Easy, Montana National Guard

Opponents' Testimony:

Informational Testimony:

00:59:32 Roxanne Menhanne, Montana Public Employee's Retirement Association
01:00:54 Brian Olson, Department of Revenue (DOR)

Questions from Committee Members and Responses:

01:01:09 Rep. Sonju
01:01:54 Sergeant Easy
01:03:15 Rep. Erickson
01:04:48 Mr. Olson, DOR
01:04:56 Rep. Butcher
01:05:42 Mr. Olson, DOR
01:06:08 Rep. Butcher
01:07:13 Colonel Jim Jacobson
01:08:31 Rep. Cohenour
01:09:01 Chief Master Hagen
01:10:01 Rep. Cohenour
01:10:18 Colonel Jim Jacobson
01:11:45 Rep. Nooney
01:12:04 Mr. Olson, DOR
01:12:29 Rep. Lake
01:13:17 Mr. Olson, DOR

Closing by Sponsor:

01:13:49 Rep. Ingraham

01:15:42 Break
01:33:53 Reconvene

HEARING ON HB 823

Opening Statement by Sponsor:

01:34:26 Rep. Veronica Small-Eastman (D), HD 42, opened the hearing on HB 823, Distribute oil and gas funds to counties.

Proponents' Testimony:

01:36:37 Rep. Alan Olson, HD 45
01:38:27 Rep. Duane Ankney, HD 43
01:40:26 Chad Fenner, Big Horn County Commissioner
01:41:46 Willy Duffield, Oil, Gas and Coal Counties

Questions from Committee Members and Responses:

01:43:24 Rep. Hilbert
01:43:59 Rep. Olson

Proponents' Testimony Continued:

01:44:46 Richard Dunbar, Oil, Gas and Coal Counties, Dawson County Commissioner
01:45:45 Dawn McDowell, Powder River County Commissioner
01:46:15 Pat Torgerson
01:47:16 Troy Blunt, Phillips County Commissioner
01:47:51 Gary McDonald, Roosevelt County Commissioner
01:49:39 Don Wrinker, Fallon County Commissioner
01:51:56 Gary Amestoy, Richland County Economic Commission

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:54:05 Rep. Lambert
01:54:40 Mr. Fenner, Big Horn County Commissioner
01:56:48 Rep. Lambert
01:58:03 Mr. McDowell, Powder River County Commissioner
01:58:15 Rep. Hilbert
01:58:47 Mr. Duffield, Oil, Gas and Coal Counties
02:01:10 Rep. Erickson
02:01:58 Mr. Duffield, Oil, Gas and Coal Counties
02:02:42 Rep. MacLaren
02:03:04 Mr. Duffield, Oil, Gas and Coal Counties
02:05:05 Rep. MacLaren
02:05:14 Mr. Blunt, Phillips County Commissioner

02:05:55 Rep. Ross
02:06:57 Mr. Duffield, Oil, Gas and Coal Counties
02:08:15 Rep. Pomnichowski
02:08:47 Rep. Lake
02:09:07 Mr. Duffield, Oil, Gas and Coal Counties
02:09:41 Jeff Martin
02:10:18 Rep. Butcher
02:10:48 Mr. Duffield, Oil, Gas and Coal Counties
02:11:05 Rep. Lake
02:11:44 Mr. Olson, DOR
02:12:45 Commissioner Dunbar, Phillips County Commissioner

Closing by Sponsor:

02:13:31 Rep. Small-Eastman_____

HEARING ON HB 822

Opening Statement by Sponsor:

02:15:51 Rep. Michele Reinhart (D), HD 97, opened the hearing on
HB 822, Generally revise biodiesel and ethanol laws.

Proponents' Testimony:

02:21:18 Dale Bickell
02:23:50 Matthew Elsaesser, SAVE Foundation
02:24:51 Dave McClure, Montana Farm Bureau
02:26:05 John Semple, Montana Grain Growers Association
02:26:27 Pat Torgerson, Women Involved In Farm Economics (WIFE)
02:27:15 Rick Warren, Northern Plain Resource Council
02:28:59 Sarah Cobler, Montana Conservation Voters
02:29:25 Max Milton

Opponents' Testimony: None

Informational Testimony:

02:30:58 Brian Olson, Department of Revenue (DOR)
02:31:09 Rhonda Alexander, Petroleum Marketers Convenient Stores
Association

Questions from Committee Members and Responses:

02:31:25 Rep. Butcher
02:31:41 Rep. Reinhart
02:33:53 Mr. Olson, (DOR)
02:34:13 Rep. Butcher

02:36:42 Rep. Hilbert
02:37:25 Rep. Reinhart
02:38:06 Rep. Sonju
02:39:38 Rep. Reinhart
02:40:28 Rep. Erickson
02:41:22 Ms. Alexander, Petroleum Marketers Convenient Stores
Association
02:44:11 Rep. Erickson
02:44:29 Rep. Reinhart
02:45:23 Rep. Nooney
02:46:02 Rep. Reinhart
02:46:50 Rep. Nooney
02:47:22 Ms. Alexander
02:49:20 Rep. Nooney
02:50:13 Rep. Vincent
02:51:24 Ms. Alexander
02:52:24 Rep. Vincent
02:52:27 Mr. Elsaesser
02:54:19 Rep. Cohenour
02:54:35 Ms. Alexander, Petroleum Marketers Convenient Stores
Association
02:56:08 Rep. Cohenour
02:56:20 Rep. Reinhart
02:58:46 Rep. Ross
02:59:43 Rep. Butcher
02:59:45 Mr. Elsaesser
03:03:01 Rep. Butcher
03:03:44 Ms. Alexander, Petroleum Marketers Convenient Stores
Association
03:05:36 Rep. MacLaren
03:05:53 Mr. Elsaesser
03:06:37 Rep. Lake
03:06:48 Mr. Olson, DOR

Closing by Sponsor:

03:08:50 Rep. Reinhart

EXECUTIVE ACTION ON HB 463

03:13:24 **Motion:** Rep. Sonju moved that **HB 463 DO PASS.**

03:13:45 **Substitute Motion/Vote:** Rep. Erickson made a substitute motion that **HB 463 BE TABLED.** Substitute motion carried unanimously by voice vote. Rep. Jopek voted aye by proxy.

EXECUTIVE ACTION ON SB 378

03:15:17 **Motion/Vote:** Rep. Erickson moved that **SB 378 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Jopek voted aye by proxy.

EXECUTIVE ACTION ON HB 799

03:16:08 **Motion:** Rep. Sonju moved that **HB 799 DO PASS**.

03:16:50 **Motion:** Rep. Cohenour moved that **HB 799 BE AMENDED. EXHIBIT (tah60a03)**

Discussion:

03:17:08 Jeff Martin

03:19:12 **Vote:** Motion carried unanimously by voice vote.

03:19:21 **Motion:** Rep. Sonju moved that **HB 799 DO PASS AS AMENDED**.

Discussion:

03:19:33 Rep. Erickson

03:19:45 Rep. Sonju

03:20:43 **Motion/Vote:** Rep. Ross moved that **HB 799 BE TABLED**. Motion carried 17-1 by voice vote with Rep. Cohenour voting no. Rep. Jopek voted aye by proxy.

EXECUTIVE ACTION ON SB 150

03:21:27 **Motion/Vote:** Rep. Erickson moved that **SB 150 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Jopek voted aye by proxy.

EXECUTIVE ACTION ON SB 541

03:23:21 **Motion:** Rep. Sonju moved that **SB 541 BE CONCURRED IN**.

Discussion:

03:23:31 Rep. McAlpin

03:23:47 Rep. Cohenour

03:24:43 Rep. Lake

03:25:27 Rep. Erickson

03:26:14 **Vote:** Motion failed 9-9 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Hilbert, Rep. Lake, Rep. Lambert, Rep. MacLaren, Rep. Nooney, Rep. Ross, and Rep. Sonju voting aye. Rep. Jopek voted no by proxy.

ADJOURNMENT

03:28:00 Adjournment

REP. BOB LAKE, Chairman

KATIE BUTCHER, Secretary
FOR DEBRA POLHEMUS

BL/kb

Additional Exhibits:

EXHIBIT ([tah60aad.pdf](#))