

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
61st LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON TAXATION**

**Call to Order:** Chairman Bob Lake, on January 29, 2009 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. Janna Taylor, Vice Chairman (R)  
Rep. Dick Barrett (D)  
Rep. Mark Blasdel (R)  
Rep. Edward B. Butcher (R)  
Rep. Wanda Grinde (D)  
Rep. Robin Hamilton (D)  
Rep. Brian Hoven (R)  
Rep. Mike Jopek (D)  
Rep. Dave McAlpin (D)  
Rep. Mike Miller (R)  
Rep. Art Noonan (D)  
Rep. JP Pomnichowski (D)  
Rep. Lee Randall (R)  
Rep. J. David Roundstone (D)  
Rep. Jon Sonju (R)  
Rep. Chas Vincent (R)  
Rep. Brady Wiseman (D)

**Members Excused:** Rep. Wayne Stahl (R)

**Members Absent:** None.

**Staff Present:** Jeff Martin, Legislative Branch  
Jennifer O'Loughlin, 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: HB 360, 1/23/2009

Executive Action: HB 28; HB 163; HB 285; HB 202;  
HB 206; HB 259, HB 300; SB 48

**HEARING ON HB 360**

**Opening Statement by Sponsor:**

00:02:45 Rep. Mary Caferro (D), HD 80, opened the hearing on  
HB 360, Refundable earned income tax credit.

**Proponents' Testimony:**

00:05:15 Bob Decker, The Policy Institute

**EXHIBIT (tah21a01)**

00:09:27 Sarah Wilhelm, Montana Budget and Policy Center

00:11:13 Rep. Julie French, Montana Democratic Women's Caucus

00:13:02 Sen. Carol Juneau

00:15:54 Heather Keller, citizen

00:17:37 Dr. Ray Peck, Montana Association of Churches

**EXHIBIT (tah21a02)**

00:20:53 Judy Smith, Montana Women Vote

00:24:45 Kim Abbott, Working for Quality and Economic Equality

00:26:35 Kristina Davis, Director, Montana Children's Defense  
Fund

00:28:27 Tom Jacobsen, Rural Dynamics, Consumer Credit  
Counseling of Montana

00:31:02 Kelly Hart, Economic Advocacy Coordinator, Montana  
Legal Services

**EXHIBIT (tah21a03)**

00:33:04 Clyde Daly, Montana Credit Union Network

00:33:37 Jamie Greer, Montana Human Rights Network

00:34:22 Andy Heiman, AARP Montana

00:34:46 Judy Reel, Montana Coalition against Domestic and  
Sexual Violence

00:35:11 Don Judge, citizen

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:37:06 Rep. Cohenour

00:38:03 Rep. Caferro  
00:38:13 Ms. Wilhelm  
00:38:59 Rep. Miller  
00:39:17 Ms. Wilhelm  
00:39:28 Rep. Miller  
00:40:09 Rep. Wiseman  
00:40:50 Rep. Miller  
00:41:02 Rep. Wiseman  
00:41:54 Ms. Kellar  
00:42:33 Chairman Lake  
00:42:54 Rep. Caferro  
00:42:59 Chairman Lake  
00:43:05 Rep. Caferro  
00:43:16 Rep. Wiseman  
00:43:50 Ms. Wilhelm

**EXHIBIT (tah21a04)**

00:44:34 Rep. Wiseman  
00:45:23 Rep. Taylor  
00:45:46 Mr. Martin  
00:46:25 Rep. Barrett  
00:47:07 Rep. Hamilton left the room.  
00:47:44 Ms. Wilhelm  
00:48:54 Rep. Barrett  
00:49:31 Ms. Wilhelm  
00:49:50 Rep. Hoven  
00:50:40 Ms. Wilhelm  
00:51:00 Rep. Wiseman

**Closing by Sponsor:**

00:51:27 Rep. Caferro  
00:54:32 Chairman Lake closed the hearing.  
00:54:45 Break  
01:08:26 Reconvene

**EXECUTIVE ACTION ON HB 28**

01:09:20 **Motion:** Rep. Taylor moved that **HB 28 DO PASS.**

**Discussion:**

01:09:25 Rep. Cohenour  
01:11:03 Rep. Wiseman  
01:12:36 Rep. Miller  
01:12:48 Chairman Lake

01:13:15 Rep. Jopek  
01:14:15 Rep. Hoven  
01:15:01 Rep. Miller  
01:15:21 Chairman Lake

01:16:10 Rep. Taylor called the question.

01:18:33 **Vote:** Motion failed 10-10 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Sonju, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting aye. Rep. Stahl voted by proxy.

### **EXECUTIVE ACTION ON HB 163**

01:18:53 **Motion:** Rep. Cohenour moved that **HB 163 DO PASS.**

#### **Discussion:**

01:20:42 Chairman Lake noted that the bill had no fiscal note.  
01:21:04 Rep. Cohenour explained the status of the fiscal note.  
01:21:34 Chairman Lake  
01:21:59 Rep. Wiseman

01:22:24 Rep. Sonju called the question.

#### **Discussion:**

01:22:44 Rep. McAlpin  
01:22:51 Rep. Cohenour  
01:23:01 Rep. McAlpin  
01:23:18 Chairman Lake announced consensus that the committee would proceed with a voice vote.

**Vote:** Motion carried 16-4 by voice vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, and Rep. Noonan voting no. Reps Hamilton and Rep. Stahl voted by proxy.

Rep. Hamilton entered the room.

**EXECUTIVE ACTION ON HB 185**

**Motion:** Rep. Sonju moved that **HB 185 DO PASS AS AMENDED.**

**Discussion:**

01:25:48 Rep. Cohenour

01:25:55 Mr. Martin

01:26:25 **Motion:** Rep. Wiseman moved that **HB 185 BE AMENDED.**

**EXHIBIT**(tah21a05)

01:28:31 Rep. McAlpin called the question.

01:28:39 **Vote:** Motion that **HB 185 BE AMENDED** carried  
unanimously by voice vote.

**Motion:** Rep. Sonju moved that **HB 185 DO PASS AS AMENDED.**

**Discussion:**

01:29:06 Rep. Cohenour

01:30:30 Rep. McAlpin

01:30:37 Rep. Taylor

01:30:56 Mr. Martin

01:31:15 Rep. Taylor

01:31:31 Mr. Martin

01:32:33 Rep. Grinde

01:32:53 Rep. Noonan

01:35:17 Rep. Hamilton

01:36:25 Rep. Butcher

01:39:06 **Motion:** Rep. Taylor called the question on HB 185.

01:40:38 **Vote:** Motion carried 14-6 by roll call vote with Rep.  
Cohenour, Rep. Grinde, Rep. Hamilton, Rep. Lake, Rep.  
Noonan, and Rep. Roundstone voting no. Rep. Stahl  
voted by proxy.

**EXECUTIVE ACTION ON HB 202**

01:41:19 **Motion:** Rep. Miller moved that **HB 202 DO PASS.**

01:42:32 **Motion:** Rep. Miller moved that **HB 202 BE AMENDED.**  
**EXHIBIT**(tah21a06)

**Discussion:**

01:43:06 Rep. Cohenour

01:43:09 Mr. Martin

01:43:40 **Vote:** Motion that **HB 202 BE AMENDED** carried  
unanimously by voice vote.

01:43:57 **Motion:** Rep. Miller moved that **HB 202 DO PASS AS**  
**AMENDED.**

**Discussion:**

01:44:22 Rep. Miller

01:45:03 Rep. Barrett

01:46:11 Rep. Cohenour

01:47:43 Rep. Butcher

01:49:53 Rep. Miller

Rep. Jopek called the question.

**Vote:** Motion failed 10-10 by roll call vote with Rep. Blasdel,  
Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Miller, Rep.  
Randall, Rep. Sonju, Rep. Stahl, Rep. Taylor, and Rep.  
Vincent voting aye. Rep. Stahl voted by proxy.

01:52:18 Chairman Lake discussed the effects of a tie vote.

**EXECUTIVE ACTION ON HB 206**

01:53:37 **Motion:** Rep. Taylor moved that **HB 206 DO PASS.**

**Discussion:**

01:53:54 Rep. Cohenour

01:54:18 Chairman Lake

01:54:31 Rep. Grinde

01:55:48 **Vote:** Motion failed 10-10 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Sonju, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting aye. Rep. Stahl voted by proxy.

01:56:08 Rep. Cohenour told the committee that Rep. French was still working on HB 232, so it was not ready for executive action.

01:56:57 Chairman Lake told the committee that he had visited with Rep. Villa, who was working on amendment for HB 133.

01:57:43 Mr. Martin

**EXECUTIVE ACTION ON HB 259**

01:58:56 **Motion:** Rep. Taylor moved that **HB 259 DO PASS.**

**Discussion:**

01:59:09 Rep. Cohenour

02:00:14 Rep. Hoven

02:01:02 Rep. Butcher

02:03:28 Rep. Pomnichowski

02:04:38 Rep. Miller

02:04:55 Rep. Taylor called the question.

02:05:06 **Vote:** Motion that **HB 259 DO PASS** carried 13-7 by roll call vote with Rep. Barrett, Rep. Cohenour, Rep. Grinde, Rep. Hamilton, Rep. McAlpin, Rep. Noonan, and Rep. Roundstone voting no. Rep. Stahl voted by proxy.

**EXECUTIVE ACTION ON HB 299**

02:07:09 **Motion:** Rep. Taylor moved that **HB 299 DO PASS.**

02:07:29 Chairman Lake told the committee that executive action would be postponed until a fiscal note was issued.

02:07:50 Rep. Taylor withdrew the motion.

**EXECUTIVE ACTION ON HB 300**

02:08:20 **Motion:** Rep. Taylor moved that **HB 300 DO PASS.**

**Discussion:**

02:08:28 Rep. Cohenour

02:09:06 Rep. Butcher

02:10:56 Rep. Miller

02:11:16 **Motion:** Rep. McAlpin called the question.

02:11:23 Rep. Noonan

02:13:36 **Vote:** Motion failed 10-10 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Sonju, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting aye. Rep. Stahl voted by proxy.



**EXECUTIVE ACTION ON SB 48**

02:15:32 **Motion:** Rep. Taylor moved that **SB 48 BE CONCURRED IN.**

02:16:31 **Motion:** Rep. McAlpin moved that **SB 48 BE AMENDED.**  
**EXHIBIT**(tah21a07)

**Discussion:**

02:16:49 Mr. Martin

02:18:21 Chairman Lake

02:18:48 Rep. Cohenour called the question.

02:18:58 **Vote:** Motion that **SB 48 BE AMENDED** carried unanimously  
by voice vote.

02:19:02 **Motion:** Rep. McAlpin moved that **SB 48 BE CONCURRED IN**  
**AS AMENDED.**

02:19:12 Rep. Cohenour called the question on SB 48 as amended.

02:19:17 **Vote:** Motion that **SB 48 BE CONCURRED IN AS AMENDED**  
carried unanimously by voice vote.

02:19:34 Chairman Lake will carry the bill.

02:19:59 Rep. Jopek asked how tie votes are indicated in  
legislative action reports.

02:20:50 Rep. Cohenour explained that bills receiving a tie vote  
will show up as heard but with no executive action  
taken.

02:22:03 Chairman Lake asked for update on the joint reappraisal  
committee hearings.

02:22:17 Rep. Jopek presented an update.

**ADJOURNMENT**

02:23:27 Adjournment: 10:25 A.M.

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Jennifer O'Loughlin, Secretary

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Additional Documents:

**EXHIBIT ([tah21aad.pdf](#))**