

00:00:02

**MINUTES**

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

**COMMITTEE ON TAXATION**

**Call to Order:** Chairman Bob Lake, on February 12, 2009 at 9:00  
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. Wayne Stahl (R)  
Rep. Chas Vincent (R)  
Rep. Brady Wiseman (D)

**Members Excused:** None.

**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 487, 2/9/2009

Executive Action: HB 232, HB 240, HB 428, HB 312,  
HB 329

**HEARING ON HB 487**

**Opening Statement by Sponsor:**

00:02:00 Rep. Walter McNutt (R), HD 37, opened the hearing on  
HB 487, Classify as business inventories certain farm  
implements and construction equip.

**EXHIBIT (tah33a01)**

**Proponents' Testimony:**

00:06:57 Rep. Llew Jones  
00:13:26 Ken Williams, Triple W Equipment  
00:21:16 Mark Swanson, President, Farm Equipment Sales  
00:25:21 Brad Griffin, Montana Trade Equipment Association  
00:29:27 C.A. Daw, Chief Legal Counsel, Department of Revenue  
(DOR)  
00:33:46 Don Hoffman, Montana Taxpayers Association  
00:34:15 Ronda Wiggers, Helena and Great Falls Chambers of  
Commerce  
00:35:04 Chelsea Fagen, Montana Chamber of Commerce

**Opponents' Testimony:** None

**Informational Testimony:**

00:35:45 Tom Bilodeau, Research Director, MEA-MFT  
00:37:19 Randy Wilke, Administrator, Property Assessment  
Division, DOR

**Questions from Committee Members and Responses:**

00:37:34 Rep. Cohenour  
00:38:29 Mr. Griffin  
00:38:48 Mr. Williams  
00:40:36 Rep. Cohenour  
00:40:42 Rep. Jones  
00:42:57 Chairman Lake  
00:43:29 Rep. Cohenour  
00:45:12 Rep. Jones

00:48:24 Rep. Cohenour  
00:48:52 Rep. Taylor  
00:49:02 Rep. McNutt  
00:49:13 Rep. Cohenour  
00:49:31 Rep. Sonju  
00:50:05 Rep. McNutt  
00:50:23 Chairman Lake  
00:50:35 Rep. Cohenour  
00:51:14 Chairman Lake  
00:51:28 Rep. Sonju  
00:51:48 Rep. McAlpin  
00:52:17 Rep. McNutt  
00:53:05 Rep. Miller  
00:53:24 Rep. McNutt  
00:55:03 Chairman Lake  
00:55:20 Rep. Butcher  
00:55:47 Rep. McNutt  
00:56:28 Chairman Lake  
00:56:36 Rep. McNutt  
00:56:49 Rep. Jopek  
00:57:05 Chairman Lake  
00:57:09 Rep. Jopek  
00:57:12 Rep. Stahl  
00:58:21 Rep. McNutt  
00:59:23 Rep. Cohenour  
01:00:26 Rep. McNutt  
01:03:13 Chairman Lake  
01:03:20 Rep. Wiseman  
01:04:09 Mr. Wilke  
01:05:07 Rep. Wiseman  
01:05:51 Chairman Lake  
01:06:08 Rep. Hoven  
01:06:31 Rep. McNutt

**Closing by Sponsor:**

01:07:03 Rep. McNutt  
  
01:10:37 Chairman Lake closed the hearing.  
  
01:10:47 Break  
  
01:31:27 Reconvene

**EXECUTIVE ACTION ON HB 232**

01:31:47 **Motion:** Rep. Sonju moved that **HB 232 DO PASS.**

01:32:14 **Substitute Motion/Vote:** Rep. Cohenour made a substitute motion that **HB 232 BE TABLED.** Substitute motion carried 18-2 by voice vote with Rep. Stahl and Rep. Vincent voting no.

**EXECUTIVE ACTION ON HB 240**

01:33:28 **Motion:** Rep. Taylor moved that **HB 240 DO PASS.**

**Discussion:**

01:34:12 Mr. Martin

**EXHIBIT (tah33a02)**

01:37:42 Chairman Lake

01:38:01 **Motion:** Rep. Taylor moved that **HB 240 BE AMENDED.**

01:38:19 Rep. Butcher called the question on the motion.

01:38:24 **Vote:** Motion that **HB 240 BE AMENDED** carried unanimously by voice vote.

**Motion:** Rep. Taylor moved that **HB 240 DO PASS AS AMENDED.**

**Discussion:**

01:38:42 Rep. Cohenour

01:39:29 Rep. Miller

01:39:43 Rep. Sonju

01:40:31 Rep. Jopek

01:42:13 Rep. Butcher

01:43:31 Rep. Noonan

01:46:18 Rep. Stahl

01:48:17 Chairman Lake

01:48:55 Rep. Cohenour called the question.

01:49:07 **Vote:** Motion that **HB 240 DO PASS AS AMENDED** 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.

**EXECUTIVE ACTION ON HB 249**

01:51:07 **Motion:** Rep. Taylor moved that **HB 249 DO PASS.**

**Discussion:**

01:51:23 Rep. Stahl  
01:54:04 Rep. Jopek  
01:54:22 Rep. Stahl  
01:55:10 Rep. Jopek  
01:55:21 Rep. Butcher  
01:57:31 Rep. Cohenour

01:57:54 Rep. Taylor withdrew the motion until the committee receives the fiscal note for HB 249.

**EXECUTIVE ACTION ON HB 261**

01:58:45 **Motion:** Rep. Taylor moved that **HB 261 DO PASS AS AMENDED.**

**Discussion:**

01:59:08 Rep. Cohenour  
01:59:56 Mr. Martin  
02:00:41 Rep. Cohenour  
02:00:44 Mr. Martin  
02:01:02 Rep. Cohenour

02:01:09 Rep. Taylor withdrew the motion until the committee receives the fiscal note for HB 261.

**EXECUTIVE ACTION ON HB 428**

02:01:45 **Motion:** Rep. Pomnichowski moved that **HB 428 DO PASS.**

**Discussion:**

02:02:01 Rep. Pomnichowski  
02:02:29 Rep. McAlpin

02:02:37 **Vote:** Motion that **HB 428 DO PASS** carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 312**

02:02:53 **Motion:** Rep. Cohenour moved that **HB 312 DO PASS**.

**Discussion:**

02:03:00 Mr. Martin

**EXHIBIT (tah33a03)**

02:03:39 **Motion:** Rep. Lake moved that **HB 312 BE AMENDED**.

**Discussion:**

02:03:47 Chairman Lake

02:05:25 Rep. Cohenour

02:05:31 Mr. Martin

02:08:24 Rep. McAlpin

02:08:50 Chairman Lake

02:09:19 Rep. McAlpin

02:09:25 Chairman Lake

02:09:29 Rep. McAlpin

02:09:39 Rep. Cohenour

02:10:11 Rep. Barrett

02:10:35 Rep. Wiseman

02:10:54 Rep. Jopek

02:11:43 Chairman Lake

02:12:55 Rep. Butcher

02:14:09 Rep. Jopek

02:15:25 Rep. Butcher called the question on the motion.

02:15:31 Chairman Lake

02:15:45 **Vote:** Motion that **HB 312 BE AMENDED** failed 12-8 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Stahl and Rep. Taylor voting aye.

02:17:19 Rep. Cohenour called the question on HB 312.

02:17:27 **Vote:** Motion that **HB 312 DO PASS** failed 10-10 by roll call vote with Rep. Barrett, Rep. Cohenour, Rep. Grinde, Rep. Hamilton, Rep. Jopek, Rep. McAlpin, Rep.

Noonan, Rep. Pomnichowski, Rep. Roundstone, and Rep. Wiseman voting aye.

**EXECUTIVE ACTION ON HB 329**

02:19:09 **Motion:** Rep. Sonju moved that **HB 329 DO PASS.**

**Discussion:**

02:19:25 Rep. Cohenour  
02:19:56 Rep. Sonju  
02:20:30 Rep. Jopek  
02:21:02 Rep. Sonju

02:21:32 **Substitute Motion:** Rep. Grinde made a substitute motion that **HB 329 BE TABLED.**

02:21:41 **Vote:** Motion that **HB 329 BE TABLED** carried 19-1 by voice vote with Rep. Stahl voting no.

**EXECUTIVE ACTION ON HB 341**

02:22:19 **Motion:** Rep. Taylor moved that **HB 341 DO PASS.**

02:22:52 Rep. Taylor withdrew the motion until the committee receives the fiscal note for HB 341.

**ADJOURNMENT**

02:24:18 Adjournment: 11:25 A.M.

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Jennifer O'Loughlin, Secretary

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Additional Documents:

**EXHIBIT ([tah33aad.pdf](#))**