

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chairman Bob Lake, on March 20, 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. Wayne Stahl (R)
Rep. Brady Wiseman (D)

Members Excused: Rep. Chas Vincent (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 653, 3/16/2009; HB 654,
3/16/2009; SB 377, 3/16/2009;
HJ 2, 3/16/2009

Executive Action: HJ 2, HB 642

HEARING ON HB 654

Opening Statement by Sponsor:

00:01:49 Rep. Dee Brown (R), HD 3, opened the hearing on HB 654,
25% new resource development revenue to fund education
and property tax relief.

Proponents' Testimony:

00:03:48 Rep. Stahl, HD 35

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:04:42 Rep. Miller
00:05:15 Rep. Brown
00:05:23 Rep. Stahl
00:05:48 Rep. Wiseman
00:06:19 Rep. Brown
00:06:56 Rep. Wiseman
00:07:37 Rep. Brown
00:08:36 Chairman Lake
00:09:05 Rep. Miller
00:09:21 Rep. Brown
00:09:42 Rep. Miller
00:10:06 Rep. Brown

Closing by Sponsor:

00:10:32 Rep. Brown

00:11:02 Chairman Lake closed the hearing.

HEARING ON SB 377

Opening Statement by Sponsor:

00:11:12 Sen. Gary Perry (R), SD 35, opened the hearing on SB 377, Prohibit business expense deduction for unauthorized aliens.

00:12:30 Chairman Lake left the room.

Proponents' Testimony: None

Opponents' Testimony:

00:13:20 Shahid Haque-Hausrath, Self
00:24:11 Jamie Greer, Montana Human Rights Network
00:25:44 Vice Chairman Taylor
00:25:53 Rep. Butcher
00:26:11 Mr. Greer
00:26:19 Vice Chairman Taylor
00:26:27 Rep. Butcher
00:26:50 Vice Chairman Taylor
00:26:53 Rep. Butcher
00:27:07 Mr. Greer
00:27:48 Rep. Butcher
00:28:12 Rep. Cohenour
00:28:16 Vice Chairman Taylor

Informational Testimony: None

Questions from Committee Members and Responses:

00:28:53 Rep. Jopek
00:29:31 Sen. Perry
00:30:46 Rep. Jopek
00:31:04 Sen. Perry
00:31:18 Rep. Miller
00:31:27 Mr. Haque-Hausrath
00:33:44 Rep. Hoven
00:34:20 Sen. Perry
00:34:43 Rep. Cohenour
00:35:12 Sen. Perry
00:35:54 Rep. Barrett
00:36:43 Sen. Perry
00:37:12 Rep. Sonju
00:37:23 Sen. Berry
00:38:55 Rep. Sonju
00:39:48 Sen. Perry
00:39:53 Rep. Butcher

00:40:56 Sen. Perry
00:41:05 Rep. Pomnichowski
00:41:42 Sen. Perry
00:41:59 Rep. Pomnichowski
00:42:20 Sen. Perry
00:42:58 Rep. Pomnichowski

Closing by Sponsor:

00:43:33 Sen. Perry

00:45:31 Vice Chairman Taylor closed the hearing.

HEARING ON HB 653

Opening Statement by Sponsor:

00:45:47 Rep. JP Pomnichowski (D), HD 63, opened the hearing on
HB 653, Revise base taxable value of TIF for local
disaster.

Proponents' Testimony:

00:50:58 Chris Naumann, Executive Director, Downtown Bozeman
Partnership
00:53:29 David Smith, President, Bozeman Area Chamber of
Commerce
00:54:23 Greg Krueger, Development Director, Downtown Billings
Partnership

Opponents' Testimony: None

Informational Testimony:

00:55:34 Debbie Jurcich, Compliance Valuation, Department of
Revenue (DOR)

Questions from Committee Members and Responses:

00:56:43 Rep. Cohenour
00:57:26 Ms. Jurcich
00:58:11 Rep. Wiseman
00:58:29 Ms. Jurcich
00:59:36 Rep. Wiseman
00:59:48 Ms. Jurcich
00:59:55 Rep. Wiseman
01:00:22 Mr. Naumann

01:00:56 Chairman Lake returned to the room.
 01:01:49 Rep. Wiseman
 01:02:20 Rep. Stahl
 01:02:48 Mr. Martin
 01:02:59 Rep. Stahl
 01:03:53 Mr. Martin
 01:04:05 Rep. Stahl
 01:04:25 Rep. Cohenour
 01:05:04 Rep. Wiseman
 01:05:25 Mr. Martin
 01:05:33 Rep. Wiseman
 01:05:52 Anna Rosenberry, Finance Director, City of Bozeman
 01:09:10 Vice Chairman Taylor
 01:09:27 Rep. Lake
 01:09:57 Ms. Rosenberry
 01:11:09 Rep. Lake
 01:11:27 Ms. Rosenberry
 01:11:59 Vice Chairman Taylor
 01:12:13 Rep. Hoven
 01:13:14 Ms. Rosenberry
 01:13:41 Rep. Barrett
 01:14:20 Ms. Rosenberry

Closing by Sponsor:

01:15:23 Rep. Pomnichowski
 01:18:33 Vice Chairman Taylor closed the hearing, and Rep. Lake resumed as Chairman.
 01:20:42 Recess
 01:37:54 Reconvene

HEARING ON HJ 2

Opening Statement by Sponsor:

01:38:21 Rep. Mike Jopek (D), HD 4, opened the hearing on HJ 2, Revenue estimating resolution.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

01:39:11 Terry Johnson, Principal Fiscal Analyst, Legislative
Fiscal Division

EXHIBIT (tah62a01)

Questions from Committee Members and Responses:

01:44:25 Rep. Cohenour
01:44:37 Mr. Johnson
01:47:19 Rep. Cohenour
01:47:26 Mr. Johnson
01:49:26 Rep. Miller
01:49:53 Mr. Johnson
01:50:38 Rep. Miller
01:50:55 Mr. Johnson
01:51:06 Rep. Barrett
01:51:31 Mr. Johnson
01:52:45 Rep. Randall
01:53:26 Mr. Johnson
01:54:03 Rep. Butcher
01:55:30 Mr. Johnson
01:57:26 Rep. McAlpin
01:57:48 Mr. Johnson
01:58:46 Rep. McAlpin
01:58:53 Mr. Johnson
01:59:23 Rep. Stahl
02:00:00 Mr. Johnson
02:00:41 Rep. Stahl
02:01:19 Mr. Johnson
02:02:44 Rep. Miller
02:03:24 Mr. Johnson
02:04:24 Rep. Miller
02:04:46 Rep. Wiseman
02:05:07 Mr. Johnson
02:07:29 Chairman Lake
02:07:42 Rep. Cohenour
02:08:21 David Ewer, Budget Director, Office of Budget and
Program Planning (OBPP)

EXHIBIT (tah62a02)

02:12:32 Rep. Cohenour
02:13:00 Mr. Ewer
02:14:27 Stephanie Morrison, OBPP
02:16:38 Rep. Stahl
02:17:24 Ms. Morrison
02:18:28 Chairman Lake
02:18:38 Rep. Stahl
02:18:50 Ms. Morrison
02:19:11 Chairman Lake

02:19:15 Rep. Barrett
02:19:31 Chairman Lake
02:19:36 Rep. Sonju
02:19:48 Ms. Morrison
02:20:33 Rep. Sonju
02:20:50 Ms. Morrison
02:20:52 Rep. Sonju
02:20:57 Ms. Morrison
02:21:05 Rep. Sonju
02:21:56 Mr. Ewer
02:22:47 Rep. Pomnichowski left the room.
02:23:29 Rep. Sonju
02:24:15 Mr. Ewer

Closing by Sponsor:

02:25:44 Rep. Jopek

02:28:14 Chairman Lake closed the hearing.

EXECUTIVE ACTION ON HJ 2

02:28:27 **Motion:** Rep. Jopek moved that **HJ 2 DO PASS.**

Discussion:

02:29:00 Mr. Martin
02:29:10 Rep. Jopek
02:29:26 Mr. Martin
02:29:39 Rep. Jopek
02:29:51 Chairman Lake

02:29:57 **Motion:** Rep. Jopek moved that **HJ 2 BE AMENDED.**
EXHIBIT(tah62a03)

Discussion:

02:30:15 Mr. Martin
02:33:26 Rep. Miller left the room.

02:33:42 **Vote:** Motion carried unanimously by voice vote. Rep. Miller, Rep. Pomnichowski and Rep. Vincent voted by proxy.

02:34:06 **Motion:** Rep. Jopek moved that **HJ 2 BE AMENDED.**
EXHIBIT(tah62a04)

Discussion:

02:34:19 Rep. Jopek
02:34:32 Mr. Martin
02:35:09 Chairman Lake

02:35:25 **Vote:** Motion carried unanimously by voice vote. Rep. Miller, Rep. Pomnichowski and Rep. Vincent voted by proxy.

02:35:48 **Motion:** Rep. Jopek moved that **HJ 2 DO PASS AS AMENDED.**

02:36:11 **Vote:** Motion carried 15-5 by voice vote with Rep. Blasdel, Rep. Butcher, Rep. Miller, Rep. Sonju, and Rep. Vincent voting no. Rep. Miller, Rep. Pomnichowski and Rep. Vincent voted by proxy.

02:37:15 Chairman Lake
02:37:40 Rep. Stahl
02:37:50 Rep. Jopek left the room.

EXECUTIVE ACTION ON HB 642

02:38:00 **Motion:** Rep. Cohenour moved that **HB 642 DO PASS.**

02:38:07 **Motion:** Rep. Cohenour moved that **HB 642 BE AMENDED.**
EXHIBIT(tah62a05)

Discussion:

02:38:53 Rep. Cohenour

02:39:30 **Vote:** Motion carried unanimously by voice vote. Rep. Jopek, Rep. Miller, Rep. Pomnichowski, Rep. Sonju and Rep. Vincent voted by proxy.

02:40:15 **Motion:** Rep. Cohenour moved that **HB 642 DO PASS AS AMENDED.**

Discussion:

02:40:28 Rep Stahl
02:40:30 Rep. Jopek returned to the room.

02:40:54 **Motion:** Rep. Stahl moved that **HB 642 BE AMENDED.**
EXHIBIT(tah62a06)

02:41:08 Rep. Stahl

02:41:42 Rep. Cohenour
02:42:04 Rep. Butcher
02:42:43 Rep. Wiseman

02:43:15 **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. Miller, Rep. Pomnichowski, and Rep. Vincent voted by proxy.

02:45:10 **Motion:** Rep. Stahl moved that **HB 642 BE TABLED.**

02:45:17 **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. Miller, Rep. Pomnichowski, and Rep. Vincent voted by proxy.

02:47:49 **Vote:** Motion that **HB 642 DO PASS AS AMENDED** 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. Rep. Miller, Rep. Pomnichowski, and Rep. Vincent voted by proxy.

Informational Meeting on Joint Reappraisal Committee Process

02:50:29 Rep. Jopek
02:51:21 Chairman Lake
02:52:02 Sen. Kelly Gebhardt, SD 23
02:56:20 Rep. Hoven
03:10:24 Rep. Jopek
03:16:59 Rep. Stahl
03:28:21 Chairman Lake
03:28:59 Sen. Christine Kauffman, SD 41
03:30:57 Chairman Lake
03:31:18 Sen. Gebhardt
03:31:47 Chairman Lake
03:32:04 Rep. Jopek
03:33:30 Chairman Lake
03:33:49 Sen. Bruce Tutvedt, SD 3
03:34:04 Jim Standaert, LFD

EXHIBIT (tah62a07)

03:36:17 Chairman Lake
03:36:40 Rep. Hoven
03:37:16 Rep. Butcher
03:38:32 Chairman Lake
03:38:45 Rep. Butcher

03:38:56 Mr. Standaert
03:39:13 Sen. Gebhardt
03:40:23 Chairman Lake
03:40:34 Rep. Butcher
03:40:59 Sen. Gebhardt
03:41:23 Mr. Standaert
03:41:49 Rep. Jopek
03:43:02 Chairman Lake
03:43:07 Sen. Tutvedt
03:43:39 Chairman Lake
03:44:09 Rep. Jopek
03:44:36 Chairman Lake
03:45:02 Rep. Barrett

ADJOURNMENT

03:45:32 Adjournment: 11:50 A.M.

Jennifer O'Loughlin, Secretary

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Additional Documents:

EXHIBIT ([tah62aad.pdf](#))