

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chairman Bob Lake, on March 26, 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. 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 675, 3/23/2009

Executive Action: HB 658

HEARING ON HB 675

Opening Statement by Sponsor:

00:02:19 Rep. Brady Wiseman (D), HD 65, opened the hearing on
HB 675, Education energy trust fund to replace
statewide school mills.

EXHIBIT(tah67a01)

Proponents' Testimony:

00:19:17 Bob Decker, The Policy Institute

EXHIBIT(tah67a02)

00:30:44 Rep. Mike Phillips, HD 66

Opponents' Testimony:

00:33:16 Dave Galt, Montana Petroleum Association

EXHIBIT(tah67a03)

00:38:58 Bruce Williams, Fidelity Exploration and Production
Company

00:42:28 Patrick Montalban, Northern Montana Oil and Gas
Association

EXHIBIT(tah67a04)

00:46:58 Gail Abercrombie, Former Executive Director, Montana
Petroleum Association

EXHIBIT(tah67a05)

00:56:09 William Duffield, Montana Association of Oil, Gas and
Coal Producing Counties

01:00:55 Tom Ebzery, Devon Energy

01:02:49 Alan Olson, Former State Representative

01:03:52 Jon Bennion, Montana Chamber of Commerce

01:05:44 Cory Swanson, Encore Oil

01:06:09 Mary Whittinghill, Montana Taxpayers Association

01:06:33 Don Allen, Western Environmental Trade Association

01:07:31 Gary Amestoy, Richland County Commissioners; Richland
County Development Corporation

Informational Testimony: None

Questions from Committee Members and Responses:

01:08:24 Rep. Cohenour
01:08:47 Mr. Decker
01:09:55 Rep. Butcher
01:10:38 Mr. Decker
01:11:52 Rep. Barrett
01:13:00 Mr. Decker

Closing by Sponsor:

01:14:38 Rep. Wiseman
01:16:35 Chairman Lake closed the hearing.

EXECUTIVE ACTION ON HB 658

01:17:21 **Motion:** Rep. Jopek moved that **HB 658 DO PASS.**

Discussion:

01:17:36 Rep. Barrett
01:17:57 Mr. Martin

01:19:07 **Motion:** Rep. Barrett moved that **HB 658 BE AMENDED.**
EXHIBIT (tah67a06)

Discussion:

01:19:21 Rep. Barrett
01:21:45 Rep. Wiseman and Rep. Miller left the room.
01:23:46 Mr. Martin
01:24:13 Rep. Barrett
01:24:27 Chairman Lake
01:24:35 Rep. McAlpin
01:24:47 Rep. Barrett
01:25:31 Rep. Cohenour
01:27:38 Rep. Stahl
01:30:51 Rep. Hoven
01:32:40 Rep. Cohenour
01:34:26 Chairman Lake

01:35:24 **Vote:** Motion failed 9-11 by roll call vote with Rep. Barrett, Rep. Cohenour, Rep. Grinde, Rep. Hamilton, Rep. McAlpin, Rep. Noonan, Rep. Pomnichowski, Rep. Roundstone, and Rep. Wiseman voting aye. Rep. Miller and Rep. Wiseman voted by proxy.

01:37:51 **Motion:** Rep. Jopek moved that **HB 658 BE AMENDED.**
EXHIBIT (tah67a07)

Discussion:

01:38:00 Rep. Jopek
01:42:40 Rep. Hoven
01:43:18 Mr. Martin
01:45:12 Rep. Barrett
01:46:15 Rep. McAlpin
01:46:32 Mr. Martin
01:47:14 Rep. Jopek
01:48:22 Rep. Hoven
01:49:10 Rep. Taylor
01:49:31 Mr. Martin
01:49:39 Rep. Taylor
01:49:51 Rep. Jopek
01:50:43 Rep. Taylor
01:51:59 Mr. Martin
01:52:18 Rep. Taylor
01:52:26 Rep. Cohenour
01:52:37 Rep. Jopek
01:53:30 Rep. Cohenour
01:53:40 Rep. Jopek
01:54:02 Rep. Cohenour
01:54:15 Rep. Jopek
01:54:42 Rep. Cohenour
01:54:45 Rep. Jopek
01:54:54 Rep. Cohenour
01:55:08 Chairman Lake
01:55:13 Dan Bucks, Director, Department of Revenue (DOR)

01:55:50 Break
02:05:07 Reconvene
Rep. Butcher, Rep. Noonan and Rep. Vincent did not
return to the room.

02:05:29 Rep. Cohenour
02:05:44 Mr. Bucks
EXHIBIT (tah67a08)
02:06:26 Chairman Lake
02:06:45 Mr. Bucks
02:08:20 Rep. Cohenour
02:08:47 Mr. Bucks
02:09:41 Rep. Jopek
02:10:20 Mr. Martin

02:10:50 Rep. Jopek modified his motion that HB 658 be amended so that technical changes could be included in the amendment.

02:11:04 Mr. Martin

02:12:09 Chairman Lake

02:12:34 **Vote:** Motion carried 11-9 by roll call vote with Rep. Barrett, Rep. Cohenour, Rep. Grinde, Rep. Hamilton, Rep. McAlpin, Rep. Noonan, Rep. Pomnichowski, Rep. Roundstone, and Rep. Wiseman voting no. Rep. Butcher, Rep. Miller, Rep. Noonan, Rep. Vincent, and Rep. Wiseman voted by proxy.

02:14:35 Rep. Butcher and Rep. Vincent returned to the room.

02:15:29 **Motion:** Rep. Blasdel moved that **HB 658 BE AMENDED. EXHIBIT (tah67a09)**

Discussion:

02:16:00 Mr. Martin

02:16:47 Rep. Blasdel

02:17:44 Rep. Jopek

02:18:40 Rep. Hoven

02:19:05 Rep. Pomnichowski

02:19:26 Rep. Taylor

02:19:46 Mr. Martin explained that this amendment, if passed, would be inserted in Title 15, Subsection 6, after Tax Rate.

02:20:27 Rep. Taylor

02:20:39 Rep. Barrett

02:21:19 **Vote:** Motion carried 18-2 by voice vote with Rep. McAlpin and Rep. Stahl voting no. Rep. Miller, Rep. Noonan and Rep. Wiseman voted by proxy.

02:21:39 **Motion/Vote:** Rep. Jopek moved that **HB 658 DO PASS AS AMENDED.** Motion carried 11-9 by roll call vote with Rep. Barrett, Rep. Grinde, Rep. Hamilton, Rep. Noonan, Rep. Pomnichowski, Rep. Randall, Rep. Sonju, Rep. Stahl, and Rep. Wiseman voting no. Rep. Miller, Rep. Noonan and Rep. Wiseman voted by proxy.

02:24:24 Chairman Lake

ADJOURNMENT

02:25:06 Adjournment: 10:30 A.M.

Jennifer O'Loughlin, Secretary

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Additional Documents:

EXHIBIT ([tah67aad.pdf](#))