

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chairman Bob Lake, on April 8, 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. 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: None

Executive Action: HJ 32, SB 241, SB 244, SB 245, SB 260, SB 264, SB 377, SB 418, SB 465, SB 467, SB 489, SB 490, SB 499, SB 503, SB 507, SB 509, SB 510

EXECUTIVE ACTION ON SB 260

00:02:55 **Motion:** Rep. Taylor moved that **SB 260 BE CONCURRED IN.**

00:04:03 **Motion:** Rep. Noonan moved that **SB 260 BE AMENDED.**
EXHIBIT(tah77a01)

Discussion:

00:04:14 Rep. Noonan

00:04:24 Rep. Cohenour left the room.

00:04:55 Mr. Martin, Legislative Services Division

00:05:04 **Vote:** Motion carried 18-2 by voice vote with Rep. Butcher and Rep. Stahl voting no. Rep. Cohenour and Rep. Vincent voted by proxy.

00:05:45 **Motion:** Rep. Taylor moved that **SB 260 BE CONCURRED IN AS AMENDED.**

Discussion:

00:06:00 Rep. Wiseman

00:07:57 Rep. Butcher

00:09:05 Rep. Noonan

00:10:29 **Vote:** Motion carried 19-1 by roll call vote with Rep. Butcher voting no. Rep. Cohenour and Rep. Vincent voted by proxy. Rep. Noonan will carry the bill.

EXECUTIVE ACTION ON SB 509

00:13:00 **Motion:** Rep. Taylor moved that **SB 509 BE CONCURRED IN.**

00:14:01 **Motion:** Rep. Taylor moved that **SB 509 BE AMENDED.**
EXHIBIT(tah77a02)

Discussion:

00:14:15 Mr. Martin

00:15:20 **Vote:** Motion carried unanimously by voice vote. Rep. Cohenour and Rep. Vincent voted by proxy.

00:15:38 **Motion/Vote:** Rep. Taylor moved that **SB 509 BE CONCURRED IN AS AMENDED**. 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. Cohenour and Rep. Vincent voted by proxy. Rep. Hoven will carry the bill.

EXECUTIVE ACTION ON HJ 32 (first vote - second vote, p. 12)

00:19:22 **Motion:** Rep. McAlpin moved that **HJ 32 DO PASS**.

00:20:13 **Motion:** Rep. McAlpin moved that **HJ 32 BE AMENDED**.
EXHIBIT(tah77a03)

Discussion:

00:20:27 Mr. Martin

00:21:28 **Vote:** Motion carried unanimously by voice vote. Rep. Cohenour and Rep. Vincent voted by proxy.

00:21:48 **Motion/Vote:** Rep. McAlpin moved that **HJ 32 DO PASS AS AMENDED**. Motion 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. Cohenour and Rep. Vincent voted by proxy.

EXECUTIVE ACTION ON SB 510

00:24:46 **Motion/Vote:** Rep. McAlpin moved that **SB 510 BE TABLED**. Motion carried 16-2 by voice vote with Rep. Butcher and Rep. Stahl voting no.

EXECUTIVE ACTION ON SB 489

00:26:22 **Motion:** Rep. McAlpin moved that **SB 489 BE CONCURRED IN.**

00:26:56 **Motion:** Rep. Stahl moved that **SB 489 BE AMENDED.**
EXHIBIT(tah77a04)

Discussion:

00:27:14 Mr. Martin
00:29:41 Rep. Stahl
00:32:26 Rep. McAlpin

00:32:57 **Vote:** Motion failed 3-17 by roll call vote with Rep. Lake, Rep. Stahl, and Rep. Vincent voting aye. Rep. Cohenour and Rep. Vincent voted by proxy.

00:34:53 Mr. Martin

00:35:31 **Motion:** Rep. Taylor moved that **SB 489 BE AMENDED.**
EXHIBIT(tah77a05)

Discussion:

00:35:45 Mr. Martin

00:36:18 **Vote:** Motion failed 2-18 by voice vote, with Rep. Vincent and Rep. Cohenour voting aye. Rep. Cohenour and Rep. Vincent voted by proxy.

00:36:48 **Motion/Vote:** Rep. Taylor moved that **SB 489 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by roll call vote. Rep. Vincent voted by proxy. Rep. Lake will carry the bill.

EXECUTIVE ACTION ON SB 264

00:39:00 **Motion:** Rep. Taylor moved that **SB 264 BE CONCURRED IN.**

Discussion:

00:39:29 Rep. Cohenour
00:39:42 Chairman Lake
00:40:01 Rep. Stahl
00:40:04 Chairman Lake
00:40:24 Rep. Cohenour

00:40:42 Rep. Stahl
00:41:01 Rep. Sonju
00:41:31 Rep. Barrett

00:42:15 **Vote:** Motion carried 18-2 by voice vote with Rep. Blasdel and Rep. Stahl voting no. Rep. Vincent voted by proxy. Rep. Taylor will carry the bill.

EXECUTIVE ACTION ON SB 377

00:43:33 **Motion:** Rep. Taylor moved that **SB 377 BE CONCURRED IN.**

Discussion:

00:43:44 Rep. Wiseman
00:44:12 Rep. Taylor
00:45:01 Rep. Barrett
00:45:15 Rep. Stahl
00:46:24 Rep. Hoven
00:47:03 Rep. Butcher
00:48:32 Rep. Taylor
00:48:56 Rep. Barrett

00:49:26 **Vote:** Motion failed 10-10 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Jopek, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Sonju, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting aye. Rep. Vincent voted by proxy.

EXECUTIVE ACTION ON SB 418

00:51:45 **Motion:** Rep. Cohenour moved that **SB 418 BE CONCURRED IN.**

00:53:40 **Motion:** Rep. Sonju moved that **SB 418 BE AMENDED.**
EXHIBIT (tah77a06)

Discussion:

00:53:52 Mr. Martin
00:55:11 Chairman Lake
00:55:26 Rep. Cohenour

00:55:43 **Vote:** Motion carried unanimously by voice vote. Rep. Vincent voted by proxy.

00:55:59 **Motion/Vote:** Rep. Cohenour moved that **SB 418 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Rep. Vincent voted by proxy. Rep. Cohenour will carry the bill.

EXECUTIVE ACTION ON SB 465

00:57:33 **Motion:** Rep. Taylor moved that **SB 465 BE CONCURRED IN**.

00:58:23 **Motion:** Rep. Stahl moved that **SB 465 BE AMENDED**.
[EXHIBIT](#)(tah77a07)

Discussion:

00:58:49 Mr. Martin
00:59:06 Rep. Stahl
01:03:50 Rep. Cohenour
01:04:08 Rep. McAlpin
01:04:21 Rep. Barrett

01:04:53 **Vote:** Motion carried unanimously by voice vote. Rep. Vincent voted by proxy.

01:05:19 **Motion:** Rep. Cohenour moved that **SB 465 BE CONCURRED IN AS AMENDED**.

01:05:31 **Motion:** Rep. Taylor moved that **SB 465 BE AMENDED**.
[EXHIBIT](#)(tah77a08)

Discussion:

01:05:44 Rep. Taylor
01:06:01 Mr. Martin
01:07:00 Rep. Cohenour
01:07:10 Chairman Lake

01:07:22 **Vote:** Motion carried unanimously by voice vote. Rep. Vincent voted by proxy.

01:07:42 **Motion/Vote:** Rep. Cohenour moved that **SB 465 BE CONCURRED IN AS TWICE AMENDED**. Motion carried unanimously by voice vote. Rep. Vincent voted by proxy. Rep. Cohenour will carry the bill.

EXECUTIVE ACTION ON SB 507

01:09:32 **Motion:** Rep. Taylor moved that **SB 507 BE CONCURRED IN.**

01:09:49 **Motion:** Rep. Taylor moved that **SB 507 BE AMENDED.**
EXHIBIT(tah77a09)

Discussion:

01:10:06 Mr. Martin

01:12:22 **Vote:** Motion carried unanimously by voice vote. Rep.
Vincent voted by proxy.

01:12:34 **Motion:** Rep. Taylor moved that **SB 507 BE CONCURRED IN**
AS AMENDED.

Discussion:

01:13:01 Mr. Martin

01:13:17 Rep. Barrett

01:14:31 Mr. Martin

01:14:35 Rep. Barrett

01:15:13 Mr. Martin

01:16:05 **Motion:** Rep. Barrett moved that **SB 507 BE AMENDED.**
EXHIBIT(tah77a10)

Discussion:

01:19:11 Rep. Taylor

01:19:24 Rep. Barrett

01:20:23 Rep. McAlpin

01:20:36 **Vote:** Motion carried 19-1 by voice vote with Rep.
Taylor voting no. Rep. Vincent voted by proxy.

01:21:02 **Motion:** Rep. Cohenour moved that **SB 507 BE CONCURRED**
IN AS TWICE AMENDED.

01:21:18 **Motion:** Rep. Barrett moved that **SB 507 BE AMENDED.**
EXHIBIT(tah77a11)

Discussion:

01:22:00 Rep. Barrett

01:23:15 Rep. Wiseman

01:23:56 Rep. Barrett
01:24:30 Chairman Lake
01:25:04 Rep. Cohenour
01:25:46 Rep. Taylor

01:26:15 **Vote:** Motion 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. Vincent voted by proxy.

01:28:47 **Motion:** Rep. Stahl moved that **SB 507 BE AMENDED. EXHIBIT (tah77a12)**

01:28:59 Rep. Stahl
01:30:50 Rep. Cohenour
01:31:25 Rep. Miller
01:31:38 Rep. Stahl
01:33:37 Rep. Miller
01:33:40 Rep. Stahl
01:33:45 Rep. Pomnichowski
01:35:00 Rep. Hamilton
01:35:16 Mr. Martin
01:35:33 Rep. Stahl
01:37:26 Rep. Barrett
01:38:03 Rep. Pomnichowski
01:38:58 Rep. Barrett
01:39:05 Rep. Noonan left the room.
01:39:20 Rep. Pomnichowski
01:40:12 Rep. Cohenour
01:41:44 Rep. Barrett
01:42:43 Chairman Lake

01:42:56 **Vote:** Motion carried 19-1 by voice vote with Rep. Pomnichowski voting no. Rep. Noonan and Rep. Vincent voted by proxy.

01:43:21 **Motion/Vote:** Rep. Cohenour moved that **SB 507 BE CONCURRED IN AS THRICE AMENDED.** Motion carried unanimously by voice vote. Rep. Noonan and Rep. Vincent voted by proxy. Rep. Barrett will carry the bill.

EXECUTIVE ACTION ON SB 245

01:44:35 **Motion:** Rep. Taylor moved that **SB 245 BE CONCURRED IN.**

Discussion:

01:44:54 Rep. Cohenour

01:45:55 Rep. Taylor

01:47:08 Rep. Barrett

01:48:06 Rep. Miller

01:49:12 Rep. Hoven

01:49:41 Rep. Jopek

01:49:56 **Vote:** Motion failed 8-12 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Sonju, Rep. Taylor, and Rep. Vincent voting aye. Rep. Noonan and Rep. Vincent voted by proxy.

01:51:50 **Motion/Vote:** Rep. Wiseman moved that **SB 245 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Rep. Noonan and Rep. Vincent voted by proxy.

EXECUTIVE ACTION ON SB 467

01:52:22 **Motion:** Rep. Sonju moved that **SB 467 BE CONCURRED IN.**

01:53:22 **Motion:** Rep. Wiseman moved that **SB 467 BE AMENDED.**
EXHIBIT (tah77a13)

Discussion:

01:53:39 Rep. Wiseman

01:54:56 Rep. Taylor

01:55:19 Rep. Wiseman

01:55:37 Ronda Wiggers, Montana County Treasurers

00:56:01 Rep. Stahl left the room.

01:56:23 Rep. Wiseman

01:56:37 Rep. Hamilton

01:56:53 **Vote:** Motion carried unanimously by voice vote. Rep. Noonan, Rep. Stahl, and Rep. Vincent voted by proxy.

01:57:12 Rep. Wiseman

01:57:21 **Motion:** Rep. Taylor moved that **SB 467 BE CONCURRED IN AS AMENDED.**

01:57:27 Rep. Stahl returned to the room.

01:57:36 **Vote:** Motion carried unanimously by voice vote. Rep. Noonan and Rep. Vincent voted by proxy. Rep. Wiseman will carry the bill.

EXECUTIVE ACTION ON SB 499

01:58:54 **Motion:** Rep. Taylor moved that **SB 499 BE CONCURRED IN.**

01:59:12 Rep. Noonan returned to the room.

01:59:30 **Motion:** Rep. Taylor moved that **SB 499 BE AMENDED.**
EXHIBIT(tah77a14)

Discussion:

01:59:46 Mr. Martin

00:59:56 Rep. Jopek left the room.

02:00:31 **Vote:** Motion carried unanimously by voice vote. Rep. Jopek and Rep. Vincent voted by proxy

02:00:54 **Motion:** Rep. Taylor moved that **SB 499 BE CONCURRED IN AS AMENDED.**

Discussion:

02:01:02 Rep. Barrett

02:01:58 Rep. Jopek returned to the room.

02:02:32 Rep. Butcher

02:03:41 **Vote:** Motion failed 9-11 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Randall, Rep. Sonju, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting aye. Rep. Vincent voted by proxy.

02:05:35 **Motion/Vote:** Rep. Taylor moved that **SB 499 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Rep. Vincent voted by proxy.

EXECUTIVE ACTION ON SB 503 (first vote - second vote on page 12)

02:06:05 **Motion:** Rep. Taylor moved that **SB 503 BE CONCURRED IN.**

Discussion:

02:06:44 Rep. Cohenour

02:07:15 Rep. Taylor

02:07:51 Chairman Lake

02:08:13 **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. Vincent voted by proxy.

EXECUTIVE ACTION ON SB 490

02:10:51 **Motion:** Rep. Taylor moved that **SB 490 BE CONCURRED IN.**

02:11:08 Mr. Martin suggested a conceptual amendment to address a technical concern in the bill.

02:12:03 **Vote:** The conceptual amendment carried unanimously by voice vote. Rep. Vincent voted by proxy.

02:12:20 **Motion:** Rep. Taylor moved that **SB 490 BE CONCURRED IN AS AMENDED.**

Discussion:

02:12:31 Rep. Cohenour

02:13:36 Rep. McAlpin

02:13:47 Rep. Stahl

02:14:21 **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. Vincent voted by proxy.

EXECUTIVE ACTION ON SB 503 (second vote)

02:16:06 **Motion:** Rep. Jopek moved that **SB 503 BE CONCURRED IN.**

02:16:38 **Vote:** Motion passed 12-8 by roll call vote with Rep. Barrett, Rep. Cohenour, Rep. Grinde, Rep. Hamilton, Rep. McAlpin, Rep. Pomnichowski, Rep. Roundstone, and Rep. Wiseman voting no. Rep. Vincent voted by proxy. Rep. Stahl will carry the bill.

EXECUTIVE ACTION ON SB 241

02:19:35 **Motion:** Rep. Taylor moved that **SB 241 BE CONCURRED IN.**

Direction:

02:19:49 Rep. Taylor
02:20:55 Rep. Wiseman
02:23:20 Rep. Cohenour
02:24:20 Chairman Lake
02:24:38 Rep. Stahl
02:24:51 Chairman Lake
02:25:03 Rep. Noonan

02:26:08 **Vote:** Motion failed 9-11 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Sonju, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting aye. Rep. Vincent voted by proxy.

02:27:46 **Motion/Vote:** Rep. Cohenour moved that **SB 241 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Rep. Vincent voted by proxy.

EXECUTIVE ACTION ON HJ 32 (second vote)

02:28:01 **Motion:** Rep. McAlpin moved that **HJ 32 DO PASS.**

Discussion:

02:28:17 Rep. Sonju
02:29:01 Rep. Wiseman

02:29:39 **Vote:** Motion carried 14-6 by roll call vote with Rep. Blasdel, Rep. Lake, Rep. Randall, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting no. Rep. Vincent voted by proxy.

EXECUTIVE ACTION ON SB 244

02:31:46 Rep. Butcher
02:32:12 Rep. Cohenour
02:32:25 Rep. Butcher

02:33:02 **Motion/Vote:** Rep. Butcher moved that **SB 244 BE CONCURRED IN**. 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. Vincent voted by proxy.

02:35:15 Rep Wiseman
02:36:06 Rep. Cohenour
02:36:29 Chairman Lake

ADJOURNMENT

02:36:42 Adjournment: 11:30 A.M.

Jennifer O'Loughlin, Secretary

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Additional Documents:

EXHIBIT ([tah77aad.pdf](#))