

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Mike Miller, on February 1, 2013 at 8:30 AM, in Room 152 Capitol

ROLL CALL

Members Present:

Rep. Mike Miller, Chair (R)
Rep. Kelly Flynn, Vice Chair (R)
Rep. JP Pomnichowski, Vice Chair (D)
Rep. Douglas Coffin (D)
Rep. Wylie Galt (R)
Rep. Kris Hansen (R)
Rep. Brian Hoven (R)
Rep. Tom Jacobson (D)
Rep. Austin Knudsen (R)
Rep. Steve Lavin (R)
Rep. Ed Lieser (D)
Rep. Edith (Edie) McClafferty (D)
Rep. Mary McNally (D)
Rep. Lee Randall (R)
Rep. Alan Redfield (R)
Rep. Nicholas Schwaderer (R)
Rep. Kerry White (R)
Rep. Kathleen Williams (D)
Rep. Nancy Wilson (D)
Rep. Daniel Zolnikov (R)

Members Excused: None

Members Absent: None

Staff Present: Megan Moore, Legislative Branch
Rebecca Shaw, 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 268, 1/22/2013

Executive Action: HB 268, HB 49, HB 89, HB185, HB 195, SB 15, SB 16, SJ 2

HEARING ON HB 268**Opening Statement by Sponsor:**

00:17:06 Rep. Greg Hertz (R), HD 11, opened the hearing on HB 268, Generally revise income tax laws.

Proponents' Testimony:

00:18:13 Glenn Oppel, Montana Chamber of Commerce

Opponents' Testimony:

00:19:10 Gene Walborn, Administrator, Business and Income Tax Division, Department of Revenue (DOR)

Informational Testimony: None

Questions from Committee Members and Responses:

00:22:11 Rep. Coffin
00:22:35 Gene Walborn, DOR
00:22:49 Rep. Coffin
00:23:12 Gene Walborn, DOR
00:23:58 Rep. Pomnichowski
00:24:19 Gene Walborn, DOR
00:26:13 Rep. Schwaderer
00:27:33 Glenn Oppel, Montana Chamber
00:27:51 Rep. Hoven
00:28:45 Gene Walborn, DOR
00:30:08 Rep. Hoven
00:30:21 Gene Walborn, DOR

Closing by Sponsor:

00:30:26 Rep. Hertz

EXECUTIVE ACTION ON HB 268

00:31:30 **Motion/Vote:** Rep. Pomnichowski moved that **HB 268 BE TABLED**. Motion carried 19-0 by voice vote.

00:31:50 Rep. McClafferty left meeting.

EXECUTIVE ACTION ON HB 49

00:33:50 **Motion:** Rep. Flynn moved that **HB 49 DO PASS**.

00:34:50 Megan Moore, Legislative Services Division (LSD)
[EXHIBIT\(tah22a01\)](#)

00:35:00 **Motion:** Rep. Redfield moved that **HB 49 BE AMENDED**.

Discussion:

00:35:19 Rep. Redfield

00:35:32 Rep. Pomnichowski
00:35:49 **Vote:** Motion **HB 49 BE AMENDED** carried 19-1 by voice vote with Rep. McClafferty voting no by proxy.

Discussion:

00:36:28 Rep. Pomnichowski
00:40:01 Chair Miller
00:40:24 Rep. Coffin
00:42:55 Rep. Knudsen
00:43:18 Megan Moore, LSD
00:44:57 Rep. White
00:45:39 Rep. Pomnichowski

00:46:31 **Motion/Vote:** Rep. Flynn moved that **HB 49 DO PASS AS AMENDED**. Motion carried 12-8 by roll call vote with Rep. Coffin, Rep. Jacobson, Rep. Lieser, Rep. McClafferty, Rep. McNally, Rep. Pomnichowski, Rep. Williams and Rep. Wilson voting no. Rep. McClafferty voted by proxy.

EXECUTIVE ACTION ON HB 89

00:48:10 **Motion:** Rep. Flynn moved that **HB 89 DO PASS**.

00:48:40 **Motion:** Rep. Hoven moved that **HB 89 BE AMENDED**.
[EXHIBIT\(tah22a02\)](#)

Discussion:

00:49:10 Rep. Williams
00:49:45 Rep. Hoven

00:49:51 **Vote:** Motion that **HB 89 BE AMENDED** carried 20-0 by voice vote. Rep. McClafferty voted by proxy.

00:50:35 **Motion/Vote:** Rep. Flynn moved that **HB 89 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. McClafferty voted by proxy.

EXECUTIVE ACTION ON HB 185

00:51:02 **Motion:** Rep. Flynn moved that **HB 185 DO PASS**.

Discussion:

00:51:30 Rep. McNally
00:52:23 Chair Miller
00:52:29 Rep. Williams

00:52:42 **Motion/Vote:** Rep. Randall moved that **HB 185 BE TABLED**. Motion carried unanimously by voice vote. Rep. McClafferty voted by proxy.

EXECUTIVE ACTION ON HB 195

00:53:20 **Motion:** Rep. Flynn moved that **HB 195 DO PASS.**

00:54:10 **Motion:** Rep. Williams moved that **HB 195 BE AMENDED.**

[EXHIBIT\(tah22a03\)](#)

[EXHIBIT\(tah22a04\)](#)

Discussion:

00:55:58 Megan Moore, LSD

00:56:38 Rep. Williams

00:57:06 Rep. Hansen

00:57:14 Megan Moore, LSD

00:57:19 Rep. Hansen

00:58:08 Rep. Pomnichowski

00:58:50 Megan Moore, LSD

00:59:11 Frank McCall, Property Assessment Division, Department of Revenue (DOR)

01:00:36 Chair Miller

01:00:53 Rep. Williams

01:01:27 Frank McCall, DOR

01:02:38 Rep. Williams

01:02:51 Rep. Hoven

01:03:18 Rep. Coffin

01:06:00 **Vote:** Motion that **HB 195 BE AMENDED** carried 11-9 by roll call vote with Rep. Galt, Rep. Hansen, Rep. Hoven, Rep. Knudsen, Rep. Lavin, Rep. Randall, Rep. Schwaderer, Rep. White and Rep. Zolnikov voting no. Rep. McClafferty voted by proxy.

01:07:08 **Motion/Vote:** Rep. Flynn moved that **HB 195 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Rep. McClafferty voted by proxy.

EXECUTIVE ACTION ON SB 15

01:07:27 **Motion/Vote:** Rep. Flynn moved that **SB 15 BE CONCURRED IN.** Motion carried unanimously by voice vote. Rep. McClafferty voted by proxy. Rep. Hansen will carry the bill.

EXECUTIVE ACTION ON SB 16

01:08:32 **Motion/Vote:** Rep. Flynn moved that **SB 16 BE CONCURRED IN.** Motion carried unanimously by voice vote. Rep. McClafferty voted by proxy. Rep. Jacobson will carry the bill.

EXECUTIVE ACTION ON SJ 2

01:09:32 **Motion:** Rep. Flynn moved that **SJ 2 BE CONCURRED IN.**

Discussion:

01:09:49 Rep. Pomnichowski

01:10:22 Rep. Knudsen

01:10:55 Chair Miller

01:11:24 Rep. Schwaderer

01:11:52 **Vote:** Motion that **SJ 2 BE CONCURRED IN** carried unanimously by voice vote.
Rep. McClafferty voted by proxy. Rep. Miller will carry the bill.

ADJOURNMENT

Adjournment: 01:12:44

Rebecca Shaw, Secretary

rs

Additional Documents:

EXHIBIT([tah22aad.pdf](#))