

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON TAXATION

**Call to Order:** Chair Mike Miller, on February 21, 2013 at 8:00 AM, in Room 152 Capitol

#### ROLL CALL

**Members Present:**

Rep. Mike Miller, Chair (R)  
Rep. Kelly Flynn, Vice Chair (R)  
Rep. Douglas Coffin (D)  
Rep. Wylie Galt (R)  
Rep. Brian Hoven (R)  
Rep. Tom Jacobson (D)  
Rep. Steve Lavin (R)  
Rep. Ed Lieser (D)  
Rep. Mary McNally (D)  
Rep. Lee Randall (R)  
Rep. Alan Redfield (R)  
Rep. Nicholas Schwaderer (R)  
Rep. Kerry White (R)  
Rep. Nancy Wilson (D)  
Rep. Daniel Zolnikov (R)

**Members Excused:** Rep. JP Pomnichowski, Vice Chair (D)  
Rep. Kris Hansen (R)  
Rep. Austin Knudsen (R)  
Rep. Edith (Edie) McClafferty (D)  
Rep. Kathleen Williams (D)

**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 480, 2/14/2013 HB 468, 2/14/2013, HB 500, 2/14/2013  
Executive Action: HB 444, HB 500, HB 429

00:17:04 Chair Miller  
00:17:10 Rep. Lavin  
[EXHIBIT\(tah39a01\)](#)  
00:17:44 Rep. Coffin  
00:17:49 Rep. Lavin

### HEARING ON HB 480

#### Opening Statement by Sponsor:

00:18:23 Rep. Champ Edmunds (R), HD 100, opened the hearing on HB 480, Generally revise Montana film industry tax laws.  
  
00:19:34 Rep. McClafferty entered.  
00:20:07 Rep. Pomnichowski entered.

#### Proponents' Testimony:

00:20:45 Sten Iverson, Owner, Speakeasy Studios  
00:25:21 JP Gabriel, Owner, Filmlites Montana  
[EXHIBIT\(tah39a02\)](#)  
00:31:24 Jesse Luther, Motion Picture Association of America  
00:32:27 Stuart Doggett, Executive Director, Montana Lodging and Hospitality Association (MLHA)  
00:33:30 Jessica Nolan, Legislative Assistant, Montana Chamber of Commerce

#### Opponents' Testimony: None

#### Informational Testimony:

00:34:24 Gene Walborn, Administrator, Business and Income Taxes Division, Department of Revenue (DOR)  
00:36:02 Jeri Duran, Montana Film Division, Department of Commerce (COM)  
00:36:29 Deidra Murray, Legislative Audit Division  
[EXHIBIT\(tah39a03\)](#)

#### Questions from Committee Members and Responses:

00:37:05 Rep. Jacobson  
00:38:00 Rep. Edmunds  
00:38:01 Gene Walborn, DOR  
00:38:29 Rep. Hoven  
00:39:04 Gene Walborn, DOR  
00:39:38 Rep. Hoven  
00:39:42 Gene Walborn, DOR  
00:40:45 Rep. Pomnichowski  
00:40:54 Gene Walborn, DOR  
00:42:06 Rep. Pomnichowski  
00:42:12 Jeri Duran, COM  
00:43:40 Rep. Pomnichowski  
00:45:37 Sten Iverson  
00:45:57 Rep. Coffin  
00:46:06 JP Gabriel, Filmlites Montana  
00:48:17 Rep. Coffin

00:48:23 Gene Walborn, DOR  
00:50:03 Rep. Coffin  
00:50:07 Gene Walborn, DOR  
00:50:34 Rep. McNally  
00:50:43 Deidra Murray, Legislative Audit Division  
00:51:57 Chair Miller  
00:52:02 Jeri Duran, COM  
00:53:11 Rep. Redfield  
00:54:04 Rep. Edmunds

**Closing by Sponsor:**

00:54:18 Rep. Edmunds

00:55:30 Recessed

01:01:00 Reconvened with members present.

**HEARING ON HB 500**

**Opening Statement by Sponsor:**

01:03:59 Rep. Jennifer Eck (D), HD 82, opened the hearing on HB 500, Revise state property tax lien laws to include penalties and interest.

**EXHIBIT(tah39a04)**

**Proponents' Testimony:**

01:06:10 Daniel Browder, Deputy County Attorney, Ravalli County  
01:11:53 Rhonda Wiggers, Montana County Treasurers Association (MCTA)  
01:12:15 Maureen Conner, Legislative and Policy Analyst, Montana Association of Counties (MACo)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:12:52 Rep. Pomnichowski  
01:12:59 Daniel Browder, Ravalli County  
01:14:43 Rep. Pomnichowski  
01:15:14 Daniel Browder, Ravalli County  
01:16:09 Rep. Lieser  
01:16:13 Daniel Browder, Ravalli County  
01:17:23 Rep. Lieser  
01:17:29 Daniel Browder, Ravalli County  
01:18:38 Rep. White  
01:19:52 Rhonda Wiggers, MCTA  
01:20:06 Rep. White  
01:20:46 Rhonda Wiggers, MCTA  
01:21:13 Rep. Hoven  
01:21:52 Daniel Browder, Ravalli County  
01:22:18 Rep. Hoven  
01:22:36 Daniel Browder, Ravalli County

01:24:27 Chair Miller  
01:24:45 Daniel Browder, Ravalli County  
01:25:31 Rep. Williams entered.  
01:25:47 Chair Miller  
01:25:52 Daniel Browder, Ravalli County

**Closing by Sponsor:**

01:26:24 Rep. Eck

**HEARING ON HB 468**

**Opening Statement by Sponsor:**

01:26:39 Rep. Alan Doane (R), HD 38, opened the hearing on HB 468, Encourage manufacture of ammunition in Montana to ensure availability.

**Proponents' Testimony:**

01:27:40 Gary Marbut, President, Montana Shooting Sports Association (MSSA) and Western Fish and Game Association

**EXHIBIT(tah39a05)**

01:35:19 Doug Nulle, Citizen, Clancy  
01:37:16 Tim Ravndal, Constitution Defenders  
01:42:04 Dave Arbenz, Citizen, Helena  
01:43:05 Phillip Gregory, Citizen, Helena  
01:44:23 Paul Landsgaard, Citizen, Bozeman  
01:45:34 Ronald Price, Citizen, Park County  
01:48:43 Glen Swope, Gallatin County

**Opponents' Testimony:**

01:49:34 Gene Walborn, DOR  
01:50:42 Rep. Hansen entered.

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:04:47 Rep. Coffin  
02:05:31 Doug Nulle  
02:05:59 Gary Marbut, MSSA  
02:06:35 Rep. Coffin  
02:06:51 Gary Marbut, MSSA  
02:07:08 Rep. Coffin  
02:07:13 Gary Marbut, MSSA  
02:07:23 Rep. Schwaderer  
02:07:44 Gary Marbut, MSSA  
02:08:17 Rep. Schwaderer  
02:12:26 Gene Walborn, DOR  
02:15:42 Rep. Flynn  
02:16:44 Gary Marbut, MSSA  
02:17:04 Rep. Flynn  
02:17:39 Gene Walborn, DOR  
02:18:44 Rep. Zolnikov

02:19:19 Gene Walborn, DOR  
02:20:20 Rep. Zolnikov  
02:20:26 Gene Walborn, DOR  
02:21:33 Rep. Coffin  
02:22:08 Gary Marbut, MSSA  
02:22:39 Rep. Jacobson  
02:23:26 Gary Marbut, MSSA  
02:23:39 Rep. Jacobson  
02:23:54 Gary Marbut, MSSA  
02:24:24 Rep. Jacobson  
02:24:55 Gary Marbut, MSSA  
02:25:17 Rep. Jacobson  
02:25:29 Gary Marbut, MSSA

**Closing by Sponsor:**

02:25:38 Rep. Doane  
  
02:26:03 Recessed  
02:42:39 Reconvened with all members present.

**EXECUTIVE ACTION ON HB 444**

02:43:40 **Motion:** Rep. Jacobson moved that **HB 444 DO PASS.**  
  
02:44:41 **Motion:** Rep. Hoven moved that **HB 444 BE AMENDED.**  
**EXHIBIT(tah39a06)**

**Discussion:**

02:45:37 Rep. Coffin  
02:46:03 Rep. Jacobson  
02:46:50 Rep. Coffin  
  
02:47:01 **Vote:** Motion that **HB 444 BE AMENDED** carried 18-1 by voice vote with Rep. Hansen voting no.  
  
02:47:11 **Motion:** Rep. Jacobson moved that **HB 444 DO PASS AS AMENDED.**  
  
02:47:25 **Motion:** Rep. Jacobson moved that **HB 444 BE AMENDED.**  
**EXHIBIT(tah39a07)**

**Discussion:**

02:48:12 Megan Moore, Legislative Research Analyst, Legislative Services Division (LSD)  
  
02:50:43 **Vote:** Motion that **HB 444 BE AMENDED** carried 19-0 by voice vote.  
  
02:50:46 **Motion:** Rep. Jacobson moved that **HB 444 DO PASS AS AMENDED.**

**Discussion:**

02:51:04 Rep. Flynn  
02:51:36 Rep. Randall

02:52:55 Chair Miller

02:53:04 **Vote:** Motion that **HB 444 DO PASS AS AMENDED** carried 15-4 by roll call vote with Rep. Galt, Rep. Hansen, Rep. Randall and Rep. Zolnikov voting no.

**EXECUTIVE ACTION ON HB 500**

02:55:16 **Motion:** Rep. Flynn moved that **HB 500 DO PASS**.

**Discussion:**

02:55:23 Rep. Hansen  
02:57:18 Rep. Hoven  
02:57:46 Rep. Pomnichowski  
02:59:07 Rep. Coffin  
02:59:43 Rep. Schwaderer  
03:01:04 Chair Miller  
03:01:12 Rep. Hansen

03:01:50 **Vote:** Motion that **HB 500 DO PASS** carried 10-9 by roll call vote with Rep. Galt, Rep. Hansen, Rep. Hoven, Rep. Lavin, Rep. Randall, Rep. Redfield, Rep. Schwaderer, Rep. White and Rep. Zolnikov voting no.

**EXECUTIVE ACTION ON HB 429**

03:03:42 **Motion:** Rep. Flynn moved that **HB 429 DO PASS**.

**Discussion:**

03:03:58 Rep. Pomnichowski  
03:05:45 Rep. Hoven  
03:06:18 Rep. Lieser  
03:07:11 Rep. Jacobson  
03:08:26 Chair Miller  
03:08:31 Rep. Schwaderer  
03:09:37 Rep. Zolnikov

03:09:50 **Vote:** Motion that **HB 429 DO PASS** carried 11-9 by roll call vote with Rep. Galt, Rep. Hansen, Rep. Knudsen, Rep. Lavin, Rep. Randall, Rep. Redfield, Rep. Schwaderer, Rep. White and Rep. Zolnikov voting no.

03:11:09 Chair Miller

**ADJOURNMENT**

Adjournment: 03:11:31

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Rebecca Shaw, Secretary

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Additional Documents:

**EXHIBIT([tah39aad.pdf](#))**