

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON TAXATION

**Call to Order:** Chair Mike Miller, on March 23, 2015 at 8:00 AM, in Room 152 Capitol

#### ROLL CALL

**Members Present:**

Rep. Mike Miller, Chair (R)  
Rep. Greg Hertz, Vice Chair (R)  
Rep. Kathleen Williams, Vice Chair (D)  
Rep. Zach Brown (D)  
Rep. Rob Cook (R)  
Rep. Geraldine Custer (R)  
Rep. Mary Ann Dunwell (D)  
Rep. Kelly Flynn (R)  
Rep. Steve Lavin (R)  
Rep. Edith (Edie) McClafferty (D)  
Rep. Alan Redfield (R)  
Rep. Nicholas Schwaderer (R)  
Rep. Bridget Smith (D)  
Rep. Kerry White (R)  
Rep. Nancy Wilson (D)  
Rep. Daniel Zolnikov (R)

**Members Excused:**

Rep. Albert Olszewski (R)  
Rep. Lee Randall (R)  
Rep. Tom Jacobson (D)  
Rep. Ed Lieser (D)

**Members Absent:** None

**Staff Present:** Megan Moore, Legislative Branch  
Erica Siate, Committee Secretary  
Stephanie Morrison, Legislative Branch

**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: HJ 2, 2/9/2015  
Executive Action: HB 471, HB 440, HB 609, HB 368, SB 54, SB 335

00:00:00 Chair Miller  
00:02:11 Chair Hertz

## HEARING ON HJ 2

### Opening Statement by Sponsor:

00:03:12 Rep. Mike Miller (R), HD 80, opened the hearing on HJ 2, Revenue estimating resolution.  
00:05:42 Chair Hertz

### Informational Testimony:

00:05:51 Stephanie Morrison, Legislative Fiscal Division (LFD)  
[EXHIBIT\(tah60a01\)](#)

00:18:08 Dan Villa, Budget Director, Office of Budget & Program Planning (OBPP)  
[EXHIBIT\(tah60a02\)](#)  
[EXHIBIT\(tah60a03\)](#)

### Proponents' Testimony:

00:22:27 Heather O'Loughlin, Montana Budget and Policy Center  
00:23:33 Rep. Lieser entered the meeting.

### Opponents' Testimony:

00:24:04 Bob Story, Montana Taxpayers Association

### Questions from Committee Members and Responses:

00:33:07 Rep. Wilson  
00:34:04 Stephanie Morrison, LFD  
00:36:20 Rep. Williams  
00:36:57 Stephanie Morrison, LFD  
[EXHIBIT\(tah60a04\)](#)  
  
00:39:28 Rep. Williams  
00:40:03 Stephanie Morrison, LFD  
00:40:37 Rep. Williams  
00:40:50 Stephanie Morrison, LFD  
00:41:21 Rep. Williams  
00:41:35 Stephanie Morrison, LFD  
00:42:14 Rep. Williams  
00:43:15 Dan Villa, OBPP  
00:47:03 Rep. Williams  
00:47:45 Dan Villa, OBPP  
00:50:29 Rep. Williams  
00:51:08 Ryan Evans, Assistant Director, Office of Budget & Program Planning (OBPP)  
00:53:10 Rep. Williams  
00:54:30 Rep. Miller  
00:54:51 Rep. Williams  
00:55:18 Rep. Miller

00:55:23 Rep. Schwaderer  
 00:56:15 Rep. Miller  
 00:56:44 Chair Hertz  
 00:56:54 Rep. Williams  
 00:57:59 Rep. Custer  
 00:59:01 Stephanie Morrison, LFD  
 01:00:28 Rep. Custer  
 01:01:04 Stephanie Morrison, LFD  
 01:02:41 Rep. White  
 01:04:02 Amy Carlson, Director, Legislative Fiscal Division (LFD)  
 01:04:45 Rep. White  
 01:06:14 Amy Carlson, LFD  
 01:07:05 Rep. White  
 01:07:55 Amy Carlson, LFD  
 01:08:13 Rep. Dunwell  
 01:08:59 Amy Carlson, LFD  
 01:09:11 Stephanie Morrison, LFD  
 01:10:22 Rep. Dunwell  
 01:10:31 Stephanie Morrison, LFD  
 01:10:48 Chair Hertz  
 01:11:09 Stephanie Morrison, LFD

**Closing by Sponsor:**

01:12:08 Rep. Miller  
  
 01:14:30 Chair Hertz  
 01:14:47 Chair Miller  
 01:15:26 Recess  
 01:32:35 Chair Miller  
 01:32:58 Recess  
 02:03:03 Chair Miller

**EXECUTIVE ACTION ON HB 368**

02:03:20 **Motion/Vote:** Rep. Miller moved that **HB 368 BE REMOVED FROM TABLE.** Motion carried 9-8 by roll call vote with Rep. Brown, Rep. Custer, Rep. Dunwell, Rep. Lieser, Rep. McClafferty, Rep. B. Smith, Rep. Williams and Rep. Wilson voting no. Rep. Jacobson, Rep. Olszewski and Rep. Randall were excused.

02:05:03 **Motion:** Rep. Hertz moved that **HB 368 DO PASS.**

02:05:34 **Motion:** Rep. Hertz moved that **HB 368 BE AMENDED.**  
[EXHIBIT\(tah60a05\)](#)

**Discussion:**

02:05:43 Megan Moore, Legislative Services Division (LSD)  
 02:06:23 Chair Miller  
 02:06:29 Rep. Hertz

02:07:08 Rep. Williams  
02:07:31 Rep. Hertz  
02:07:49 Rep. Williams  
02:07:52 Rep. Hertz  
02:07:58 Rep. Williams  
02:08:45 Chair Miller  
02:09:11 Rep. Wilson  
02:09:51 Rep. Zolnikov  
02:10:41 Rep. Z. Brown  
02:11:02 Rep. Hertz  
02:11:14 Rep. Schwaderer  
02:11:48 Rep. Custer

02:11:58 **Vote:** Motion carried 11-9 by roll call vote with Rep. Brown, Rep. Custer, Rep. Dunwell, Rep. Jacobson, Rep. Lieser, Rep. McClafferty, Rep. B. Smith, Rep. Williams and Rep. Wilson voting no. Rep. Jacobson, Rep. Olszewski and Rep. Randall voted by proxy.

02:14:36 **Motion:** Rep. Hertz moved that **HB 368 DO PASS AS AMENDED.**

**Discussion:**

02:15:51 Rep. Williams

02:16:50 **Vote:** Motion carried 11-9 by roll call vote with Rep. Brown, Rep. Custer, Rep. Dunwell, Rep. Jacobson, Rep. Lieser, Rep. McClafferty, Rep. B. Smith, Rep. Williams and Rep. Wilson voting no. Rep. Jacobson, Rep. Olszewski and Rep. Randall voted by proxy.

02:17:50 Rep. Lavin left the meeting.

**EXECUTIVE ACTION ON HB 471**

02:18:10 **Motion:** Rep. Cook moved that **HB 471 DO PASS.**

**Discussion:**

02:18:40 Harold Blattie, Montana Association of Counties (MACo)

**EXHIBIT(tah60a06)**

02:21:49 **Motion/Vote:** Rep. Cook moved that **HB 471 BE TABLED.** Motion carried 11-9 by roll call vote with Rep. Brown, Rep. Custer, Rep. Dunwell, Rep. Jacobson, Rep. Lieser, Rep. McClafferty, Rep. B. Smith, Rep. Williams and Rep. Wilson voting no. Rep. Jacobson, Rep. Lavin, Rep. Olszewski and Rep. Randall voted by proxy.

**EXECUTIVE ACTION ON HB 609**

02:24:42 **Motion:** Rep. Lieser moved that **HB 609 DO PASS.**

**Discussion:**

02:27:35 Rep. Williams  
02:28:18 Rep. Hertz  
02:28:22 Rep. Lieser  
02:28:26 Chair Miller

02:28:46 **Vote:** Motion carried 17-3 by voice vote with Rep. Randall, Rep. Schwaderer and Rep. Zolnikov voting no. Rep. Jacobson, Rep. Lavin, Rep. Olszewski and Rep. Randall voted by proxy.

**EXECUTIVE ACTION ON SB 54**

02:29:46 **Motion:** Rep. Hertz moved that **SB 54 BE CONCURRED IN.**

**Discussion:**

02:30:11 Chair Miller  
02:30:16 Rep. Dunwell  
02:31:16 Chair Miller  
02:31:19 Megan Moore, Legislative Services Division (LSD)

02:31:41 **Vote:** Motion carried 13-7 by roll call vote with Rep. Flynn, Rep. Lavin, Rep. Miller, Rep. Randall, Rep. Redfield, Rep. Schwaderer and Rep. Zolnikov voting no. Rep. Jacobson, Rep. Lavin, Rep. Olszewski and Rep. Randall voted by proxy. Rep. Williams will carry the bill.

**EXECUTIVE ACTION ON SB 335**

02:33:46 **Motion:** Rep. Hertz moved that **SB 335 BE CONCURRED IN.**

**Discussion:**

02:34:18 Rep. White  
02:34:38 Rep. Williams

02:36:13 **Vote:** Motion carried 14-6 by roll call vote with Rep. Flynn, Rep. Randall, Rep. Redfield, Rep. Schwaderer, Rep. White and Rep. Zolnikov voting no. Rep. Jacobson, Rep. Lavin, Rep. Olszewski and Rep. Randall voted by proxy. Rep. Lieser will carry the bill.

**EXECUTIVE ACTION ON HB 440**

02:36:41 **Motion/Vote:** Rep. Williams moved that **HB 440 BE REMOVED FROM TABLE.** Motion carried 9-7 by roll call vote with Rep. Cook, Rep. Custer, Rep. Flynn, Rep. Redfield, Rep. Schwaderer, Rep. White and Rep. Zolnikov voting no. Rep. Jacobson, Rep. Lavin, Rep. Olszewski and Rep. Randall were excused.

02:39:03 **Motion:** Rep. Williams moved that **HB 440 DO PASS AS AMENDED.**

02:39:16 **Motion:** Rep. Williams moved that **HB 440 BE AMENDED.**  
**EXHIBIT(tah60a07)**

**Discussion:**

02:40:12 Megan Moore, Legislative Services Division (LSD)

02:41:19 **Vote:** Motion carried 15-5 by roll call vote with Rep. Miller, Rep. Redfield, Rep. Schwaderer, Rep. White and Rep. Zolnikov voting no. Rep. Jacobson, Rep. Lavin, Rep. Olszewski and Rep. Randall voted by proxy.

02:42:21 **Motion:** Rep. Williams moved that **HB 440 DO PASS AS AMENDED.**

**Discussion:**

02:42:31 Rep. Hertz

02:43:04 Rep. Smith

02:43:56 Rep. Williams

02:44:49 **Vote:** Motion failed 10-10 by roll call vote with Rep. Brown, Rep. Cook, Rep. Dunwell, Rep. Jacobson, Rep. Lieser, Rep. McClafferty, Rep. Miller, Rep. B. Smith, Rep. Williams and Rep. Wilson voting aye. Rep. Jacobson, Rep. Lavin, Rep. Olszewski and Rep. Randall voted by proxy.

02:46:09 Rep. Jacobson enters the meeting.

02:46:10 **Motion/Vote:** Rep. Hertz moved that **HB 440 BE TABLED.** Motion carried 18-2 by voice vote with Rep. Jacobson and Rep. Williams voting no. Rep. Lavin, Rep. Olszewski and Rep. Randall voted by proxy.

**ADJOURNMENT**

Adjournment: 02:47:53

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Erica Siate, Secretary

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Additional Documents:

**EXHIBIT([tah60aad.pdf](#))**