

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
60th LEGISLATURE - SPECIAL SESSION**

JOINT HOUSE/SENATE COMMITTEE ON TAXATION

Call to Order: By Chairman Bob Lake, on May 14, 2007 at 1:45 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Bob Lake, Chairman (R)
Rep. Jill Cohenour, Vice Chairman (D)
Rep. Jon Sonju, Vice Chairman (R)
Rep. Norma Bixby (D)
Rep. Mark Blasdel (R)
Rep. Edward B. Butcher (R)
Rep. Ron Erickson (D)
Rep. Wanda Grinde (D)
Rep. Robin Hamilton (D)
Rep. Edward Hilbert (R)
Rep. Mike Jopek (D)
Rep. Carol Lambert (R)
Rep. Gary MacLaren (R)
Rep. Dave McAlpin (D)
Rep. Bill Nooney (R)
Rep. JP Pomnichowski (D)
Rep. John (Jack) W. Ross (R)
Rep. Chas Vincent (R)
Sen. Jim Elliott, Chairman (D)
Sen. Jerry Black (R)
Sen. Jeff Essmann (R)
Sen. Kelly Gebhardt (R)
Sen. Kim Gillan (D)
Sen. Dan Harrington (D)
Sen. Christine Kaufmann (D)
Sen. Sam Kitzenberg (D)
Sen. Jim Peterson (R)
Sen. Robert Story (R)

Members Excused: Sen. Trudi Schmidt (D)

Members Absent: None

Staff Present: Jeff Martin, Legislative Branch
Nancy Kraft, 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 9, 5/14/2007; HB 10, 5/14/2007

Executive Action: HB 5; HB 9; HB 10

HEARING ON HB 9

Opening Statement by Sponsor:

00:02:30 Rep. John Sonju (D), HD 16, opened the hearing on HB 9, \$400 rebate for property taxes paid, tax relief.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:04:15 Rep. Cohenour
00:04:49 Rep. Sonju
00:05:07 Jeff Martin, Legislative Branch
00:05:39 Rep. Cohenour
00:06:02 Rep. Sonju
00:06:31 Rep. Cohenour
00:06:42 Mr. Martin
00:08:00 Rep. Sonju
00:11:24 Rep. Erickson
00:12:28 Rep. Sonju
00:14:19 Rep. Jopek
00:14:58 Dan Bucks, Director, Department of Revenue
00:27:32 Sen. Harrington
00:28:12 Rep. Sonju
00:30:30 Rep. Cohenour
00:31:07 Rep. Sonju
00:32:01 Sen. Story
00:32:16 Jim Standaert, Legislative Fiscal Division
00:34:25 Rep. Nooney
00:34:54 Rep. Sonju
00:35:37 Mr. Bucks
00:37:56 Rep. McAlpin
00:38:05 Mr. Standaert
00:41:00 Rep. Cohenour

00:41:17 Mr. Standaert
00:42:00 Rep. Cohenour
00:42:44 Rep. Jopek
00:43:23 Mr. Standaert
00:44:37 Rep. Cohenour
00:45:27 Mr. Bucks
00:50:01 Rep. Cohenour
00:50:17 Sen. Story
00:50:53 Mr. Bucks
00:52:58 Rep. McAlpin
00:53:15 Mr. Bucks
00:55:23 Rep. Nooney
00:55:42 Mr. Bucks

Closing by Sponsor:

00:56:27 Rep. Sonju
00:57:07 Sen. Elliott
00:57:18 Vice-Chairman Sonju took the Chair.
00:57:30 Rep. Jopek
00:58:00 Rep. Lake

HEARING ON HB 10

Opening Statement by Sponsor:

00:59:01 Rep. Bob Lake (R), HD 88, opened the hearing on HB 10,
Increase business equipment tax exemption, provide
reimbursement, adjust GTB.

Proponents' Testimony: None

Opponents' Testimony:

01:00:55 Sen. Jim Elliott, SD 7
01:02:46 Dan Bucks, Director, Department of Revenue

Informational Testimony: None

Questions from Committee Members and Responses:

01:08:17 Rep. Nooney
01:08:40 Rep. Sonju
01:09:02 Rep. Erickson
01:10:13 Rep. Lake
01:13:22 Rep. Nooney

01:13:40 Rep. Lake
01:14:06 Rep. Nooney
01:14:20 Rep. Cohenour

01:14:43 Break

01:20:56 Rep. Nooney

01:21:20 **VOTE:** ON WHETHER OR NOT TO ALLOW AUDIENCE MEMBERS WHO WERE NEITHER PROPONENTS NOR OPPONENTS TO ANSWER QUESTIONS. By roll call vote, House voted 10-8 to allow, with Reps. Cohenour, Bixby, Erickson, Grinde, Hamilton, Jopek, McAlpin, and Pomnichowski voting no. By voice vote, Senate voted unanimously to allow.

01:23:09 John Bennion, Montana Chamber of Commerce
01:24:41 Sen. Harrington
01:24:48 Rep. Butcher
01:25:20 Rep. Lake
01:27:51 Sen. Harrington
01:28:20 Mr. Bucks
01:32:11 Rep. Cohenour
01:32:52 Mr. Bucks
01:39:36 Rep. Cohenour
01:39:55 Mr. Standaert
01:44:54 Rep. Cohenour
01:45:28 Rep. Lake

01:46:32 Break

02:14:27 Rep. Cohenour
02:14:36 Rep. Butcher
02:15:17 Sen. Elliott
02:15:55 Rep. McAlpin
02:16:04 Rep. Sonju
02:16:24 Rep. Cohenour
02:17:29 Rep. Sonju
02:17:41 Rep. Cohenour
02:18:01 Mr. Bennion
02:18:19 Rep. Cohenour
02:18:31 Mr. Bennion
02:19:24 Rep. Sonju
02:19:37 Sen. Elliott
02:20:40 Rep. Sonju
02:21:22 Rep. Cohenour
02:21:45 Mr. Bennion
02:22:47 Sen. Story
02:23:55 Dallas Reese, Department of Revenue
02:25:48 Sen. Story
02:26:28 Rep. Lake

02:26:44 Sen. Story
02:27:09 Mr. Bucks
02:28:10 Rep. Jopek
02:30:49 Mr. Bucks
02:32:25 Rep. Sonju
02:32:35 Rep. Jopek
02:33:06 Mr. Bucks
02:37:00 Sen. Elliott
02:37:37 Mr. Bucks
02:43:47 Rep. Nooney
02:44:07 Mr. Bucks
02:47:48 Rep. McAlpin
02:48:18 Mr. Standaert
02:49:20 Rep. McAlpin
02:49:28 Rep. Lake
02:50:42 Sen. Elliott
02:51:25 Mr. Bucks
02:52:49 Sen. Harrington
02:53:57 Rep. Lake
02:57:59 Rep. Ross
02:58:36 Rep. Lake
02:58:57 Mr. Martin
03:00:45 Rep. Lambert
03:01:17 Rep. Lake
03:01:21 Mr. Martin
03:02:14 Sen. Story
03:03:34 Rep. Lake
03:04:47 Sen. Story
03:05:08 Mr. Reese
03:05:50 Rep. Jopek
03:06:07 Mr. Standaert
03:09:08 Rep. Jopek
03:11:13 Ed Caplis, Department of Revenue
03:12:40 Sen. Black
03:13:03 Rep. Lake
03:13:19 Mr. Bennion
03:14:13 Rep. Lake
03:15:31 Sen. Elliott
03:15:53 Rep. Lake
03:16:17 Rep. Cohenour
03:16:44 Mr. Bucks

Closing by Sponsor:

03:18:46 Rep. Lake

03:20:19 Sen. Elliott
03:20:41 Jami Davis, Department of Revenue
03:21:13 Sen. Elliott

03:21:36 Break

EXECUTIVE ACTION ON HB 5

03:40:40 Chairman Lake resumed the Chair.

03:40:44 Rep. Cohenour

03:40:57 **Motion:** Rep. McAlpin moved that HB 5 **DO PASS**.

Discussion:

03:41:42 Rep. Cohenour

EXHIBIT (tah04a01)

03:46:27 **Substitute Motion:** Rep. Sonju made a substitute motion that HB 5 **BE TABLED**.

Discussion:

03:46:54 Rep. Jopek

03:47:58 **Vote:** Motion carried 10-8 by roll call vote with Reps. Bixby, Cohenour, Erickson, Grinde, Hamilton, Jopek, McAlpin, and Pomnichowski voting no.

EXECUTIVE ACTION ON HB 9

03:48:51 **Motion:** Rep. Sonju moved that HB 9 **DO PASS**.

03:49:51 **Motion:** Rep. Cohenour moved that HB 9 **BE AMENDED**.

EXHIBIT (tah04a02)

Discussion:

03:50:20 Rep. Cohenour

03:50:54 Mr. Martin

03:51:23 Rep. Sonju

03:51:28 **Vote:** Motion carried unanimously by voice vote.

03:51:52 **Motion:** Rep. Sonju moved that HB 9 **DO PASS AS AMENDED**.

03:52:09 **Motion/Vote:** Rep. Cohenour moved that HB 9 **BE AMENDED**.

Motion carried unanimously by voice vote.

EXHIBIT (tah04a03)

03:53:02 **Motion:** Rep. Sonju moved that HB 9 **DO PASS AS AMENDED**.

03:53:43 **Motion:** Rep. Cohenour moved that HB 9 **BE AMENDED**.

EXHIBIT (tah04a04)

Discussion:

03:54:03 Mr. Martin
03:54:43 Rep. Cohenour
03:54:57 Rep. Sonju
03:55:24 Mr. Martin
03:55:35 Rep. Cohenour
03:56:53 Rep. Butcher
03:57:27 Rep. Cohenour
03:58:20 Mr. Bucks
03:59:51 Rep. Butcher
04:00:12 Mr. Bucks
04:02:20 Rep. MacLaren
04:02:44 Mr. Bucks
04:03:23 Rep. Lake
04:03:47 Mr. Bucks
04:04:14 Rep. Cohenour
04:04:44 Mr. Bucks
04:05:33 Rep. Butcher
04:06:19 Mr. Bucks

04:07:17 **Vote:** Motion carried 10-8 by roll call vote with Reps. Blasdel, Butcher, Hilbert, Lake, Nooney, Ross, Sonju, and Vincent voting no.

04:08:17 **Motion:** Rep. Sonju moved that HB 9 **DO PASS AS AMENDED.**

04:08:27 **Motion:** Rep. Jopek moved that HB 9 **BE AMENDED.**

EXHIBIT (tah04a05)

Discussion:

04:08:40 Rep. Jopek
04:10:36 Rep. Lake
04:10:38 Rep. Jopek

04:12:57 **Vote:** ON WHETHER OR NOT AMENDMENT WAS IN ORDER. By roll call vote, Committee voted 10-8 to agree with Chairman that amendment was not in order, with Reps. Bixby, Cohenour, Erickson, Grinde, Hamilton, Jopek, McAlpin, and Pomnichowski voting no.

04:13:47 Rep. Jopek

04:14:50 **Vote:** Motion carried 12-6 by roll call vote with Reps. Bixby, Cohenour, Erickson, Grinde, Hamilton, and McAlpin voting no.

EXECUTIVE ACTION ON HB 10

04:15:32 Rep. Cohenour

04:15:40 Rep. Lake

04:16:42 **Motion:** Rep. Sonju moved that HB 10 **DO PASS.**

Discussion:

04:16:51 Mr. Martin

04:17:51 Rep. Cohenour

04:19:55 Rep. Lake

04:20:06 Rep. Sonju

04:20:20 **Vote:** Motion carried 12-6 by roll call vote with Reps. Bixby, Cohenour, Erickson, Grinde, Hamilton, and McAlpin voting no.

ADJOURNMENT

04:21:08 Adjournment: 6:15 P.M.

REP. BOB LAKE, Chairman

Nancy Kraft, Secretary

BL/nk

Additional Exhibits:

EXHIBIT ([tah04aad.pdf](#))