

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN KARL WAITSCHIES**, on January 11, 2005
at 8:00 A.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Karl Waitschies, Chairman (R)
Rep. Gary Branae, Vice Chairman (D)
Rep. Bob Lake, Vice Chairman (R)
Rep. John Balyeat (R)
Rep. Edward B. Butcher (R)
Rep. Jill Cohenour (D)
Rep. Wanda Grinde (D)
Rep. George G. Groesbeck (D)
Rep. Dennis Himmelberger (R)
Rep. Carol Lambert (R)
Rep. Dave McAlpin (D)
Rep. Jim Peterson (R)
Rep. Holly Raser (D)
Rep. John (Jack) W. Ross (R)
Rep. Scott Sales (R)
Rep. Bill Warden (R)
Rep. Brady Wiseman (D)

Members Excused: Rep. Norma Bixby (D)
Rep. Margaret H. Campbell (D)
Rep. Tom Facey (D)

Members Absent: None.

Staff Present: Jeff Martin, Legislative Branch
Debra Polhemus, 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 158, 1/6/2005; HB 194, 1/6/2005

Executive Action: HB 194, HB 85, HB 38

HEARING ON HB 194

Opening Statement by Sponsor:

00:00:25 **REP. GARY MATTHEWS (D), HD 40**, opened the hearing on HB 194, Clarify distribution of oil and gas production taxes.

Proponents' Testimony:

00:01:30 Gene Walborn, Montana Department of Revenue
00:03:44 William (Willy) Duffield, Executive Director,
Montana Association of Oil, Coal & Gas Producing
Counties
00:04:50 Gail Abercrombie, Executive Director, Montana
Petroleum Association
00:05:17 Ron Devlin, NorthWestern Energy
00:06:49 Patrick Montalban, Northern Montana Oil and Gas
Association

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:07:44 **REP. WISEMAN**

00:08:38 **Closing by Sponsor:** **REP. GARY MATTHEWS (D), HD 40**
closed the hearing on HB 194.

HEARING ON HB 158

00:09:22 **Opening Statement by Sponsor:** **REP. JOE MCKENNEY (R), HD 18**, opened the hearing on HB 158, Revise and clarify income tax withholding.

Proponents' Testimony:

00:10:54 Neil Peterson, Montana Department of Revenue
[EXHIBIT](#)(tah07a01)

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:18:53

REP. LAKE

00:21:22

Closing by Sponsor: REP. JOE MCKENNEY (R), HD 18, closed the hearing on HB 158.

EXECUTIVE ACTION ON HB 194

00:22:41

Motion: REP. BUTCHER moved that HB 194 DO PASS.

Discussion:

00:23:01

REP. PETERSON

00:25:46

REP. BUTCHER

00:28:34

Vote: Motion passed unanimously by roll call vote with REP. BIXBY, REP. CAMPBELL and REP. FACEY voting aye by proxy.

00:29:01

Motion/Vote: REP. LAKE moved that HB 194 be placed on Consent Calendar. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 85

00:29:35

Motion/Vote: REP. WISEMAN moved that HB 85 DO PASS. Motion carried unanimously by roll call vote with REP. BIXBY, REP. CAMPBELL and REP. FACEY voting aye by proxy.

00:30:03

Motion: REP. LAMBERT moved that HB 85 be placed on Consent Calendar. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 38

00:30:55

Motion: REP. FACEY moved that HB DO PASS.

[EXHIBIT](#) (tah07a02)

Discussion:

00:33:49

REP. RASER

00:35:04

REP. BUTCHER

00:37:14

REP. WISEMAN

00:37:58

REP. FACEY

00:38:41

Motion/Vote: REP. PETERSON moved that the Amendment to HB 38 DO PASS. Motion carried unanimously by voice vote.

00:39:10 Motion: REP. FACEY moved that HB 38 DO PASS AS
 AMENDED.

Discussion:

00:39:54 REP. BUTCHER
00:40:41 REP. COHENOUR
00:42:05 REP. LAKE
00:43:14 REP. BRANAE

00:44:32 Vote: Motion carried unanimously by roll call vote
 with REP. BIXBY and REP. CAMPBELL voting aye by
 proxy.

00:44:59 Motion: REP. COHENOUR moved to place HB 38 on
 Consent Calendar. Motion denied as REP. FACEY
 voiced objection.

ADJOURNMENT

Adjournment: 9:15 A.M.

REP. KARL WAITSCHIES, Chairman

DEBRA POLHEMUS, Secretary

KW/DP

Additional Exhibits:

EXHIBIT ([tah07aad0.PDF](#))