

MINUTES OF THE MEETING
TAXATION COMMITTEE
MONTANA STATE
HOUSE OF REPRESENTATIVES

April 25, 1985

The fifty-eighth meeting of the Taxation Committee was called to order in room 312-1 of the state capitol at 12:06 P.M. by Chairman Gerry Devlin.

ROLL CALL: All members were present with the exception of Representative Asay, Representative Iverson, Representative Raney and Representative Schye. Also present were James Lear, Staff Attorney for the Legislative Council, and Alice Omang, Secretary.

CONSIDERATION OF SENATE JOINT RESOLUTION 44: Senator Christiaens, District 17, Cascade County, informed the committee that this resolution urges Congress to allow the state of Montana to assume 8-cent federal cigarette excise tax, which is scheduled to expire on October 1, 1985. He advised that this is something that has gone through both houses and it is appropriate.

PROPOSERS: There were none.

OPPOSERS: There were none.

QUESTIONS ON SENATE JOINT RESOLUTION 44: Representative Williams noted in the second "whereas", that it indicates that Congress has passed legislation that provides for the tax to be decreased by 8 cents; and he said that it was his understanding that this was a sunset and they had to repass it if they wanted to collect it.

Senator Christiaens responded that that was also his understanding, but perhaps the drafters knew more about it than he did.

Mr. Lear explained that he did not see anything wrong with the language.

Chairman Devlin commented that he still had some problems with it and it didn't say anything at all about the state being allowed to assume the tax.

Mr. Lear replied that he does not think that this language states that Congress passed legislation that said that

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the states would be allowed to assume the tax - that is just a conclusion that is drawn.

There were no further questions and Senator Christiaens closed.

EXECUTIVE SESSION:

DISPOSITION OF SENATE JOINT RESOLUTION 44: Representative Harrington moved that this resolution BE CONCURRED IN. The motion carried with a vote of 13 to 4. See Roll Call Vote.

ADJOURNMENT: There being no further business, the meeting was adjourned at 12:14 P.M.

GERRY DEVLIN, Chairman

Alice Omang, Secretary

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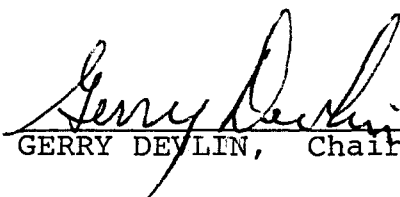
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GERRY DEVLIN, Chairman


Alice Omang, Secretary

DAILY ROLL CALL

HOUSE TAXATION

COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 4-25-1985

NAME	PRESENT	ABSENT	EXCUSED
DEVLIN, GERRY, Chrm.	✓		
WILLIAMS, MEL, V. Chrm.	✓		
ABRAMS, HUGH	✓		
ASAY, TOM			
COHEN, BEN	✓		
ELLISON, ORVAL			
GILBERT, BOB	✓		
HANSON, MARIAN	✓		
HARRINGTON, DAN	✓		
HARP, JOHN	✓		
IVERSON, DENNIS			
KEENAN, NANCY	✓		
KOEHNKE, FRANCIS	✓		
PATTERSON, JOHN	✓		
RANEY, BOB			
REAM, BOB	✓		
SANDS, JACK	✓		
SCHYE, TED			
SWITZER, DEAN	✓		
ZABROCKI, CARL	✓		

ROLL CALL VOTE

HOUSE COMMITTEE TAXATION

DATE April 25, 1985 BILL NO. SJR 44 TIME _____

NAME	AYE	NAY
DEVLIN, GERRY, Chrm.		✓
WILLIAMS, MEL, V.Chrm.	✓	
ABRAMS, HUGH	✓	
ASAY, TOM		-
COHEN, BEN	✓	
ELLISON, ORVAL		✓
GILBERT, BOB	✓	
HANSON, MARIAN		✓
HARRINGTON, DAN	✓	
HARP, JOHN	✓	
IVERSON, DENNIS	-	-
KEENAN, NANCY	✓	
KOEHNKE, FRANCIS	✓	
PATTERSON, JOHN	✓	
RANEY, BOB	-	-
REAM, BOB	✓	
SANDS, JACK	✓	
SCHYE, TED	✓	
SWITZER, DEAN		✓
ZABROCKI, CARL	✓	

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Alice O'mang
Secretary Alice O'mang

Chairman Gerry Devlin

Motion: BE CONCURRED IN

STANDING COMMITTEE REPORT

..... March 25 19 85

MR. **SPEAKER:**

We, your committee on **TAXATION**

having had under consideration **SENATE JOINT RESOLUTION** Bill No. **44**

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**URGING CONGRESS TO ALLOW STATE ASSUMPTION OF THE 8-CENT FEDERAL
CIGARETTE EXCISE TAX SCHEDULED TO EXPIRE ON OCTOBER 1, 1985.**

Respectfully report as follows: That **TAXATION** Bill No. **44**

BE CONCURRED IN

~~XXXXXX~~
~~DECREASE~~