

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By Chairman Harrington, on February 7, 1989, at 9:00 a.m.

ROLL CALL

Members Present: All

Members Excused: None

Members Absent: None

Staff Present: Dave Bohyer, Legislative Council

Announcements/Discussion: None

HEARING ON HOUSE BILL 472

Presentation and Opening Statement by Sponsor:

Rep. Bob Raney, District 82, stated this bill is to provide low income elderly people with property tax relief. Elderly people, 62 and older, with income at the poverty level, who own their own homes can apply for a deferral program for up to 50% of their annual taxes and assessments. They merely go to the county assessor and fill out an application form that will be forwarded to the Department of Revenue who will determine if they are eligible for this program. If they are eligible, 50% of their taxes will be deferred and the State of Montana will send a check to their home county for the deferred amount so there is no loss to local government or schools. There is an 8% per annum interest rate on the deferred property taxes. This can be repaid at any time without penalty. Payment must be made at the death of the taxpayer, if the property is sold, if the taxpayer moves to an apartment or nursing home or moves out of the state in the instance of a mobile home. The spouse of a deceased taxpayer can continue past and future deferral providing the spouse is 60 or older. If the spouse is less than 60, they can continue the deferral of taxes already deferred but cannot apply this program to taxes due in the future. Heirs of the taxpayer have up to five years to repay the back taxes. Rep. Raney stated his source of funding for this program is the Education Trust Fund. He stated one million dollars should be retained from the trust to cover funding for this deferral program for the elderly.

Testifying Proponents and Who They Represent:

Senator Mike Hallagan, Missoula
Speaker John Vincent, District 80

Proponent Testimony:

Senator Mike Hallagan stated the elderly have great anxiety over their property taxes and the possible loss of their homes. This bill will allow government to assist these citizens to stay in their homes for as long as they can or until their deaths. He urged serious consideration of the bill.

Speaker John Vincent stated he learned about this program from elderly people in Oregon. The people told him that without the deferral program there, they would not be able to keep their homes.

Rep. Kelly Addy wished to be recorded as a proponent.

Testifying Opponents and Who They Represent:

None.

Opponent Testimony:

None.

Questions From Committee Members: Rep. Gilbert referred to the fiscal note for the bill stating it mentions a possible conflict with existing legislation and mentions interaction with other programs. He asked Rep. Raney if it was his intent that people under his deferral program could also qualify for additional programs. Rep. Raney stated he did not believe there was any conflict and the deferral was not reduction in taxes but merely deferral of payment. The taxes will have to be paid eventually. Rep. Gilbert then asked if the deferral will be based on the relief of that tax to which Rep. Raney replied it would.

Rep. Driscoll asked what the poverty level is now. Rep. Raney replied it is \$6,000.00 to \$9,000.00 per year for an individual.

Rep. Ream stated there is 9.6 million dollars left in the Education Trust Fund and it is all budgeted. How then can you say there is no cost. Rep. Raney replied it costs in that the money is not readily available but it will eventually be paid.

Rep. Ellison asked about someone whose taxes are already delinquent, would they be eligible for the program. Rep. Raney replied they would not, that taxes had to be current for eligibility.

Rep. Ream asked Rep. Raney if there was a penalty for the late property taxes to which Rep. Raney replied there was not, only the interest charge.

Rep. Gilbert asked if Rep. Raney had a mechanism in his bill to give the state authority to acquire the property and to sell it in the event of default on the taxes. Rep. Raney replied he did in that if the property is sold or passed on to heirs, the lien must be paid. Rep. Gilbert stated if the property is not sold or passed on to heirs, and it reverts to state ownership, consideration should be given in the bill to this situation occurring in some instances.

Closing by Sponsor: Rep. Raney stated the fiscal note indicated large administrative costs which he did not believe were accurate. The bill would not take effect until 1990 and the Department of Revenue was recently given a two year extension to put their computer system in place for the reappraisal systems. He stated this would surely make quite a difference in the costs.

DISPOSITION OF HOUSE BILL 472

Motion: None

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: Will be considered in executive session at a later date.

HEARING ON HOUSE BILL 442

Presentation and Opening Statement by Sponsor:

Rep. Lloyd McCormick, District 38, stated the bill provides that fines, forfeitures and penalties imposed by state tax laws be deposited in the county general fund. He then turned the time over to proponents for the bill.

Testifying Proponents and Who They Represent:

Cort Harrington, Montana County Treasurer's Association
Dick Mitchelotti, Cascade County Treasurer

Proponent Testimony:

Cort Harrington stated there is a statute providing for the deposit into the general fund of all fines, forfeitures and penalties but it is not being followed and has not been for

a number of years. The money has been used for various funds. There is penalty and interest if someone's property tax is delinquent. These funds serve different purposes. The interest payments are intended to make the taxing jurisdiction whole. The penalty is currently 2% and this is to offset the additional administrative costs of record keeping, sending out notices, preparing for property sales and other expenses. He suggested an amendment to Section 20-9-212, Subsection 6 which states that penalties collected are to be deposited to the school district where that tax arose. This should be amended or HB 442 could be amended to say schools no longer get the 2% penalty. He said that HB 268 before this committee, substantially increases the penalty for delinquent taxes. He suggested that HB 442 be coordinated with this bill if it is adopted. He stated he would be happy to work with the committee on these amendments.

Dick Mitchelotti stated that in the past year, Cascade County had a delinquent tax rate of approximately 8 to 10%. This is about 4,000 parcels of land in the county and \$2,000,000.00. The administrative costs for this amounts to \$32,000.00 to \$45,000.00 per year. Mr. Mitchelotti stated the counties needed some compensation in this area and the 2% penalty would be sufficient.

Testifying Opponents and Who They Represent:

Greg Grepher, Office of Public Instruction
Alec Hanson, Montana League of Cities and Towns

Opponent Testimony:

Greg Grepher stated he had concerns with the bill as currently drafted because the penalty and interest money is earmarked proportionately to the school districts. He stated he did not think the fiscal note was accurate in that it stated there is no impact. He said if the bill is amended to exclude schools under 20-9-212 meaning all schools including universities, etc., he would then support the bill.

Alec Hanson opposed the bill due to the financial effects on cities. Cities receive a share of the 2% penalty and in today's financial environment, this is extremely important. Mr. Hanson stated that the collection of taxes by the county is a legitimate function of that office, funded by the general fund and supported by city and county taxpayers.

Questions From Committee Members: None.

Closing by Sponsor: Rep. McCormick thanked the committee and stated he would be willing to work with the committee on any changes or recommendations.

DISPOSITION OF HOUSE BILL 442

Motion: None

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: Will be considered in executive session
at a later date.

HEARING ON HOUSE BILL 359

Presentation and Opening Statement by Sponsor:

Rep. Bud Campbell, District 48, presented the bill in place of Rep. John Cobb who could not attend the hearing. Rep. Campbell stated this bill is an act to exclude sand and gravel from the Resource Indemnity Trust Fund. Sand and gravel is regulated under the Open Mining and Reclamation Act and there is no need for the double taxation. The sand and gravel companies are expected to report quarterly even if they have had no production. If they do not submit the form, there is a \$25.00 fine. Rep. Campbell urged passage of the bill.

Testifying Proponents and Who They Represent:

None.

Proponent Testimony:

None.

Testifying Opponents and Who They Represent:

None.

Opponent Testimony:

None.

Questions From Committee Members: Rep. Gilbert asked Rep. Campbell if sand and gravel is removed from the mineral status, is it also removed from mining status eliminating the permit requirement. Rep. Campbell stated no permit is required now. Sand and Gravel would still be regulated under the Open Mining and Reclamation Act.

Rep. Ream asked Rep. Campbell stated there were exceptions for extractions of minerals in county zoning. He asked if this shouldn't be included in zoning control. Rep. Campbell

stated it would depend on the location and what possible problems might be encountered in the community involved.

Closing by Sponsor: Rep. Campbell made no further statement on the bill.

DISPOSITION OF HOUSE BILL 359

Motion: None

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: Will be taken under consideration in a future executive session.

HEARING ON HOUSE BILL 415

Presentation and Opening Statement by Sponsor:

Rep. John Patterson, District 97, submitted written testimony and a document indicating the revenue loss to cities and towns from exempting hand tools from taxation. (Exhibits 1 and 2). Exhibit 2 was used to develop the fiscal note.

Testifying Proponents and Who They Represent:

Senator Mike Hallagan, District 29
Ken Nordtveltdt, Director, Department of Revenue
Dennis Burr, Montana Taxpayers Association
Jack Greeg, Machinist's Union
Leonard Colvin, Mechanic, Colstrip Mine
Steve Feagins, Mechanic, Sheridan, Wyoming
Jim Murray, Executive Secretary, AFL-CIO
Bradley Johnson, National Federation of Independent Business
Tim Onan, Long Machinery, Missoula
Bart Rouns, Long Machinery, Missoula
Bob Anderson, Equipco, Missoula
Jerry Jack, Montana Stockgrowers Association
John Patten, Mechanic
Dave Pantrelli, Missoula, Concerned Citizen

Proponent Testimony:

Senator Mike Hallagan stated the bill tries to address the tax fairness as well as administration. Taxing someone's livelihood through taxation of their tools is certainly unfair.

Ken Nordtveltdt stated the Department of Revenue supports this bill in the interest of fairness and equity. He said the tax is unevenly implemented and not cost effective. Dr.

Nordveldt stated the administrative has budgeted to reimburse schools and local governments for this loss of revenue. He encouraged the committee to keep the effective date December 31, 1988 and to pass the bill as quickly as possible.

Dennis Burr stated he favored the bill for the same reasons as Dr. Nordveldt, the fairness issue and the fact that the tax is not cost effective.

Jack Gregg stated this is a nuisance tax and also a discriminatory tax since there are two classes with an 8% and 11% tax rate. Mr. Gregg stated that many mechanics do not work full time in winter but they are required to own their own hand tools as a condition of employment. He said they are taxed on their tools and again on their earnings.

Leonard Colvin spoke in support of the bill. (Exhibit 3).

Steve Feagins spoke in support of the bill. (Exhibit 4).

Jim Murray spoke in support of the bill. (Exhibit 5).

Bradley Johnson stated he wished to go on record in support of the bill. He stated there was a need to eliminate the tax for fairness and economic reasons.

Tim Onan spoke in support of the bill. (Exhibit 6).

Bart Rouns spoke in support of the bill. (Exhibit 7).

Bob Anderson spoke in support of the bill. (Exhibit 8).

Jerry Jack spoke in support of the bill. (Exhibit 9).

Testifying Opponents and Who They Represent:

Phil Campbell, Montana Education Association

Opponent Testimony:

Phil Campbell stated he was not opposed to the bill in theory. He did not feel the fiscal note was completely accurate. He urged the committee, if this bill is passed, to make a commitment to replace the lost revenue.

Questions From Committee Members: Rep. Raney asked Mr. Campbell about Dr. Nordveldt's promise that the revenue will be replaced and if he can trust this statement, would he be opposed to the bill. Mr. Campbell replied he would not be opposed.

Rep. Hoffman asked Dr. Nordveldt if eliminating this tax was opening the door to a larger depreciation of the tax base.

Dr. Nortveldt replied that there is a perpetual problem in this area of what should be collected and what would be considered nuisance taxes.

Closing by Sponsor: Rep. Patterson stated he wanted to be sure to exempt all tools in class 8. He emphasized that this is for hand held tools only and not for large shop machines or anything on that order.

DISPOSITION OF HOUSE BILL 415

Motion: None

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: None. Will be considered in executive session at a later date.

EXECUTIVE SESSION

DISPOSITION OF HOUSE BILL 12 HEARD ON JANUARY 26, 1989:

DISCUSSION: Rep. Driscoll stated his subcommittee had met and amendments were made on the bill. In the bill now, owners of mobile homes will pay their taxes the same days as real property. The tax paid stickers are eliminated and the lien holder will be notified if the property taxes are delinquent.

While waiting for Dave Bohyer to return with the amendments he had drafted for HB 12, Chairman Harrington stated there were two classic car bills. These are SB 17 and HB 457. He appointed a subcommittee to incorporate these two bills. He appointed Rep. O'Keefe, Chairman, with Rep. Driscoll and Rep. Good.

MOTION: Rep. Driscoll moved DO PASS on the bill and on the amendments.

DISCUSSION: Rep. Driscoll stated the amendments will assure that mobile home owners will no longer be treated differently than real property owners. Mobile home owners must have a permit to move their homes out of the state and in order to obtain the permit, they must pay the taxes in full. This is still in the bill and those who move mobile homes will lose their license if they move anyone who has not paid their taxes. He stated this will create enough safeguards and still give mobile home owners equitable treatment.

The amendments were PASSED unanimously by the committee. HB 12 was PASSED AS AMENDED by a unanimous voice vote of the committee.

DISPOSITION OF HOUSE BILL 208:

MOTION: DO PASS by Rep. Driscoll.

DISCUSSION: Rep. Driscoll stated this bill does not stop exploration or mining but simply eliminates a loophole regarding the mining impact on local communities. He stated the mining company would not spend 10 to 20 million dollars to construct a large tunnel simply for exploration but that this is indeed the mine.

Rep. Ellison opposed the motion. He submitted a document prepared by Marvin Barber (Exhibit 10) regarding the value of a mining drill which was mentioned in testimony on January 31 in committee. Rep. Ellison stated that the machinery owned by the mine is of significant value and therefore the taxes paid on this equipment will more than compensate for any impact on local communities.

Rep. Raney stated that anyone mining with 125 people would have to fall under the Hard Rock Impact Act yet someone exploring with 150 people does not come under this act. He felt this was unfair.

Rep. Ellison stated that under the Hard Rock Impact Act, the mining company negotiates with local people on a collective basis and forms a plan to take care of the impact. Under this bill, the company would have to negotiate with each entity. When the production in the actual mine begins, the taxes are spread to wherever the impact may be which could be out of the county. Rep. Ellison stated this would be an impediment to the development of mineral resources.

Rep. Elliot asked when is exploration not exploration. In the Hard Rock Mining Impact Act, if a mine employs 75 people for six months, this is considered mining. He stated he felt this type of exploration should be included under the provisions of the act.

Rep. Ellison stated there has been exploration in the state in which mining companies have spent considerable sums of money but they did not find the right kind of ore. The companies have given grants to the local county in which they are operating to cover the impact expenses and have stated they will continue to do this.

Rep. Elliot stated he did not believe the Hard Rock Mining Act has proven to be an impediment to mining and he was in favor of economic development. He stated the Act was for the protection of the people in the localities in which the mines were to be located.

Rep. Gilbert stated he opposed the motion. He said if there is a problem, it should be taken care of by the local government. He also stated the local communities have not been opposed to the Act and have stated they can handle the impact.

Rep. Cohen moved to amend the bill according to recommendations made by previous proponents to the bill. Rep. Driscoll explained that the amendments primarily stated if there is negative impact on local communities, the mines would then have to prepay property taxes.

Chairman Harrington asked Rep. Driscoll if an area does not feel there is any impact, then there would be no prepayment. Rep. Driscoll replied that this was true.

Rep. Gilbert stated he opposed the amendments and considered the bill obstructionist.

Rep. Cohen stated he did not think this was obstruction but was merely trying to mitigate the impact.

Rep. Rehberg stated he opposed the amendment and he agreed with Rep. Gilbert and saw no need for the legislation.

Rep. Raney stated he resented being called an obstructionist when he was in favor of reasonable development but when 150 people are brought into a small community, it can severely impact the public services of that community. He said these operations are not exploratory but are indeed mining.

Rep. Hanson stated she opposed the amendment and that people who live in the communities have told her they had no problem with the mining company impact. She stated the mine provides adequately for any problems created in the local community.

Rep. Driscoll stated the developer has to deal with every taxing jurisdiction if he is developing a mine. The bill simply states that if there is exploration employing over 75 people for six months, the mine must follow the same rules as the developer.

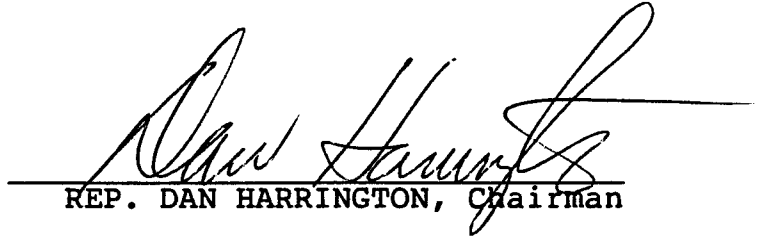
A roll call vote was taken on the amendments. Amendments DID NOT PASS by a vote of 10 to 9.

A roll call vote was taken on the bill. The bill DID NOT PASS by a vote of 10 to 8.

Updates on education funding impact were distributed by Chairman Harrington. (Exhibit 11).

ADJOURNMENT

Adjournment At: 10:55 a.m.



REP. DAN HARRINGTON, Chairman

DH/lj

3215.min

DAILY ROLL CALL

TAXATION

COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date February 7, 1989

NAME	PRESENT	ABSENT	EXCUSED
Harrington, Dan, Chairman			
Ream, Bob, Vice Chairman	✓		
Cohen, Ben	✓		
Driscoll, Jerry	✓		
Elliott, Jim	✓		
Koehnke, Francis	✓		
O'Keefe, Mark	✓		
Raney, Bob	✓		
Schye, Ted	✓		
Stang, Barry	✓		
Ellison, Orval	✓		
Giacometto, Leo	✓		
Gilbert, Bob	✓		
Good, Susan	✓		
Hanson, Marian	✓		
Hoffman, Robert	✓		
Patterson, John	✓		
Rehberg, Dennis	✓		

STANDING COMMITTEE REPORT

February 27, 1989

Page 1 of 3

Mr. Speaker: We, the committee on Taxation report that HOUSE BILL 12 (first reading copy -- white) do pass as amended.

Signed: _____
Dan Harrington, Chairman

And, that such amendments read:

1. Title, line 4.

Following: "AN ACT" on line 4

Strike: "PRESCRIBING"

Insert: "REVISING"

2. Title, line 5.

Following: "HOMES,"

Insert: "REQUIRING COUNTY TREASURERS TO NOTIFY A PERSON HOLDING A PERFECTED SECURITY INTEREST IN A MOBILE HOME OF DELINQUENT TAXES ON THE MOBILE HOME,"

Following: "SECTIONS"

Insert: "15-16-113 AND"

3. Title, line 6.

Strike: "AND 15-24-204"

4. Page 1, line 10 through line 5 on page 5.

Strike: sections 1 through 6 in their entirety

Insert: "Section 1. Section 15-16-113, MCA, is amended to read:

"15-16-113. Personal property -- duty of treasurer -- penalty. (1) The county treasurer shall collect taxes on all personal property and, in the case provided in 15-16-111, shall immediately upon receipt of the report prescribed by 15-16-111 notify the person or persons against whom the tax is assessed and any person who has a properly perfected security interest of record with the department of justice that the amount of the tax is due and payable at the county treasurer's office.

(2) (a) The Except as provided in 15-24-202 and subsection (2) (b) of this section, the county treasurer shall, at the time of receiving the report and in any event within 30 90 days from the receipt of such report, levy upon

12:22 pm
2/28/89
ja

February 27, 1989
Page 2 of 3

and take into his possession the personal property against which a tax is assessed or any other personal property in the hands of the delinquent taxpayer and proceed to sell the same in the same manner as property is sold on execution by the sheriff.

(b) If the taxes on a mobile home or housetrailer become delinquent, the county treasurer shall notify by first-class mail every person who has a properly perfected security interest of record in the property on which the taxes are delinquent. Not less than 90 days following the giving of notice to persons with a properly perfected security interest the county treasurer shall levy upon and take into his possession the mobile home or housetrailer against which a tax is assessed or any other personal property in the hands of the delinquent taxpayer and proceed to sell the same in the same manner as property is sold on execution by the sheriff.

(3) The county treasurer shall, for the purpose of making the levy and sale, direct the sheriff to make the levy and sale. The sheriff, undersheriff, or any deputy sheriff of the county is ex officio a deputy county treasurer for such purposes, and either may act and receive payment of such taxes. The sheriff may receive the same fees as he is entitled to in making a seizure and sale as provided in 15-17-911.

(4) The county treasurer and his sureties are liable on his official bond for all taxes on personal property remaining uncollected by reason of the willful failure and neglect of the treasurer to levy upon and sell such personal property for the taxes levied thereon.

(5) Failure by the sheriff, undersheriff, or deputy sheriff acting as a deputy county treasurer to make the levy and sale results in a levy against the official bond of the sheriff, undersheriff, or deputy sheriff for payment of the delinquent tax."

Renumber: subsequent sections

5. Page 5, line 10.

Following: "shall"

Insert: ", except as provided in 15-24-206,"

6. Page 5, lines 11 through 21.

Following: "payments" on line 11

Strike: the remainder of line 11 through line 21

Insert: "as provided in subsection (1)(b)."

(b) One-half of the amount of the tax is payable on or before 5 p.m. on May 31 of the year in which the property is assessed or within 30 days after the tax notice is

12:32 pm
2/28/89
ja

February 27, 1989
Page 3 of 3

postmarked, whichever is later, and one-half is payable on or before 5 p.m. on November 30 of the year in which the property is assessed.

(2) Unless one-half of the taxes is paid on or before 5 p.m. on May 31 or within 30 days after the tax notice is postmarked, whichever is later, the amount payable becomes delinquent and draws interest at the rate of 5/6 of 1% per month from and after delinquency until paid and 2% must be added to the delinquent taxes as a penalty.

(3) All taxes due and not paid on or before 5 p.m. on November 30 become delinquent and draw interest at the rate of 5/6 of 1% per month from and after delinquency until paid, and 2% must be added to the delinquent taxes as a penalty.

(4) If the date on which taxes are due falls on a holiday or Saturday, the taxes may be paid without penalty or interest on or before 5 p.m. of the next business day in accordance with 1-1-307."

Renumber: subsequent subsections

7. Page 8, line 1 through page 12, line 14.
Strike: Sections 9 through 19 in their entirety
Renumber: subsequent sections

8. Page 12.
Strike: lines 18 through 22 in their entirety
Renumber: subsequent section

STANDING COMMITTEE REPORT

February 7, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Taxation report that House
Bill 208 (first reading copy -- white) do not pass.

Signed: 
Dan Harrington, Chairman



The Big Sky Country

EXHIBIT 1
DATE 2/7/89
HB 415
Rep. J. Patterson

MONTANA STATE HOUSE OF REPRESENTATIVES

HB 415

Mr. Chairman, members of the committee this bill will put hand tools into one category presently they are found in class seven property and class eight, that's right the same hammer depending on who owns it is in two tax codes, this is ridiculous that we have allowed this to happen. I know that every member of this committee owns a hammer, every homeowner does, how many of you are reporting your hammers or hand tools to the DOR and paying property taxes on them? Maybe, you own a screwdriver or pliers, has your wife asked you to fix or tighten a handle on your drawer at home? Those are hand tools.

Stop and think about this a second many mechanics are required to own these hand tools before they are allowed to work for different companies in this state. Many garages are having to buy metric hand tools just to make simple adjustments to your car. They have to have two sets 1 American, and 1 metric, we tax both. These tools break with use, they get lost, are easily stolen, nobody knows how the DOR values them.

J. Patterson

7 FEB 89 HEOR:AL

EXHIBIT

Estimated Impact on Cities and Towns from Exempting Hand Held Tools from Taxation

DATE 2/1/89

HB 415-

Esy *John Peterson*
Reduction
in Revenue

Estimated
Reduction
in Revenue

TOWN	Estimated Reduction in Revenue	TOWN	Estimated Reduction in Revenue	TOWN	Estimated Reduction in Revenue
Alberton	20	Fort Peck	42	Plains	83
Anaconda	140	Froid	90	Plentywood	1,323
Bainville	8	Fromberg	3	Plevna	17
Baker	860	Geraldine	29	Polson	1,991
Bearcreek	11	Glasgow	3,458	Poplar	162
Belgrade	783	Glendive	3,290	Red Lodge	801
Belt	75	Grass Range	6	Rexford	0
Big Sandy	105	Great Falls	5	Richey	45
Big Timber	863	Hamilton	2,346	Ronan	1,450
Billings	44,174	Hardin	1,110	Roundup	1,125
Boulder	103	Harlem	806	Ryegate	126
Bozeman	14,227	Harlowton	376	Saco	101
Bridger	97	Havre	4,265	Scobey	1,284
Broadus	327	Helena	8,659	Shelby	1,843
Broadview	1	Hingham	34	Sheridan	127
Brockton	0	Hobson	0	Sidney	2,275
Browning	211	Hot Springs	666	Stanford	30
Cascade	68	Hysham	480	Stevensville	318
Chester	292	Ismay	10	St. Ignatius	287
Chinook	1,054	Joliet	25	Sunburst	137
Choteau	693	Jordan	131	Superior	346
Circle	679	Judith Gap	22	Terry	611
Clyde Park	32	Kalispell	10,206	Thompson Falls	952
Columbia Falls	571	Kevin	28	Three Forks	431
Columbus	1,174	Laurel	2,432	Townsend	644
Conrad	1,899	Lavina	39	Troy	297
Culbertson	205	Lewistown	3,147	Twin Bridges	198
Cut Bank	3,096	Libby	1,073	Valier	374
Darby	105	Lima	194	Virginia City	57
Dear Lodge	835	Livingston	4,595	Walkerville	43
Denton	152	Lodge Grass	13	West Yellowstone	533
Dillon	1,696	Malta	1,630	Westby	129
Dodson	14	Manhattan	250	White Sulphur Sp	340
Drummond	91	Medicine Lake	264	Whitefish	2,684
Dutton	560	Melstone	67	Whitehall	272
East Helena	223	Miles City	2,520	Wibaux	177
Ekalaka	488	Missoula	27,180	Winett	22
Ennis	436	Moore	31	Winifred	29
Eureka	495	Nashua	401	Wolf Point	919
Fairfield	194	Neihart	4		
Fairview	109	Ophelm	35		
Flaxville	22	Outlook	1		
Forsyth	1,174	Phillipsburg	335		
Fort Benton	1,183	Pinesdale	20		

Total

182,438

Estimated Impact of Exempting Hand Held Tools from Taxation

EXHIBIT

DATE

HB

COUNTY

Estimated
Taxable
Value

Estimated Reduction in Revenue

Universities SFP Counties Local Schools

Total
Reduction

Beaverhead 62,751
Big Horn 45,404
Blaine 29,803
Broadwater 24,807
Carbon 21,286
Carter 22,681
Cascade 260,662
Chouteau 83,616
Custer 39,923
Daniels 38,543
Dawson 61,625
Deer Lodge 16,624
Fallon 17,678
Fergus 76,221
Flathead 314,681
Gallatin 252,342
Garfield 20,056
Glacier 76,054
Golden Valley 12,080
Granite 12,158
Hill 117,679
Jefferson 15,757
Judith Basin 11,562
Lake 102,573
Lewis & Clark 190,553
Liberty 37,675
Lincoln 70,290
Madison 45,167
McCone 21,541
Meagher 12,037
Mineral 8,767
Missoula 364,591
Musselshell 27,563
Park 84,087
Petroleum 2,640
Phillips 48,319
Pondera 62,036
Powder River 18,714
Powell 28,068
Prairie 13,249
Ravalli 112,903
Richland 75,261
Roosevelt 44,463
Rosebud 32,875
Sanders 37,922
Sheridan 41,431
Silver Bow 100,492
Stillwater 37,428
Sweet Grass 22,015
Teton 54,247
Toole 64,195
Treasure 13,839
Valley 65,446
Wheatland 12,200
Wibaux 15,949
Yellowstone 871,616

377 2,824 4,986 8,631
272 2,043 1,826 1,378
178 1,332 1,640 2,244
149 1,116 1,501 2,124
128 958 1,221 2,036
136 1,021 1,951 1,696
1,564 11,730 23,022 49,483
502 3,763 6,818 9,687
240 1,797 3,752 10,210
231 1,734 4,082 7,163
370 2,773 4,728 10,191
100 748 2,749 3,061
106 796 307 644
457 3,430 5,675 13,534
1,888 14,161 31,671 51,339
1,514 11,355 17,263 38,933
120 903 1,490 1,053
456 3,422 4,840 8,369
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73 547 1,124 1,771
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EXHIBIT

3

DATE 2/7/89

HB 415

Rep. J. Pearson

Members of the Legislature:

I wish to address the merits of this bill--I am

a mechanic, having worked both in a coal mine and on highway construction. Part of the requirements of my employment has always been that I furnish my own hand tools, according to the contract. I find it both unfair and unjust that I should have to pay both an income tax on my wages and another personal property tax on the tools required to earn that wage.

I wish to point out several things:

1. I don't use my tools as a business in search of profit.
2. My tools are a requirement for my employment.
3. We are not asking that power tools be exempt from personal property tax.
4. The property tax on my tools is more of a nuisance than anything else.---I only pay about \$15.00 a year in taxes but it takes several hours to inventory and appraise them for value.

Thank you

*LH Collier
Box 880
Forsyth mont
59327*

EXHIBIT 3
DATE 2/7/89
HB 415

Rep. J. Patterson

2-5-89

I am for the bill concerning tax on
on tools, because we are required to have
them for our job. I am a welder
mechanic at the Colstrip mine.

Karl Roll
Box 245
Forsyth, mt.
356-2633.

1423 Ridgeway Ave.
Sheridan, Wyoming 82801
February 4, 1989

Montana State Legislator
State Capital Building
Helena, Montana 59620

EXHIBIT 4

DATE 2/7/89

HB 415

Rep. J. Patterson

Dear Members,

I would like to enter this letter on behalf of all mechanics who work in Big Horn County, Montana and who live in Sheridan, Wyoming.

I have been a mechanic for 17 years. Two years working for Waite Oil Company in Butte, Montana, 5 years with the Anaconda Company's Berkely Pit also in Butte, Montana, and 10 years at the Decker Coal Company in Decker, Montana. In all of the jobs I have been required to purchase and own my own tools as a condition of employment.

It wasn't until two years ago that the Big Horn County Treasure informed all of the mechanics that we would have to list all of the tools we owned and had on the mine site in the state of Montana. The mechanics were to state the value, date the time of purchase, and depreciate old tools by a given scale. After finding the assessed value a formula was given to find the amount of tax due.

It is a unanimous feeling among all of the mechanics I work with that the tax is unjust for several reasons;

(1) It only has effected mechanics, when other craft people such as, Oilers, Carpenters, Electricians, and Welders, who must also have personal tools on the mine site, who to my knowledge have never been notified of the tax.

(2) The tax is on a county by county basis and only the counties who impose the tax are craft people required to pay. Ironically it seems that the only counties who are imposing are the counties with mining companies

(3) As residents of Sheridan, Wyoming we have no say in Montana government, pay out of state tuition for Montatna colleges, and have very little hunting and fishing priviledges for the income tax we are allready paying.

(4) The amount of taxes collected is so minimal that it must infact cost the counties more in administration costs than what they clloect. For example the tax on my tools amounted to approximately \$10.85.

(5) We cannot be employed at our jobs unless we provide our own means of earning a living.

I do not have the original contract that was in place when I was first employed by Decker Coal Company in 1978. Had I kept it, it would have shown that mechanics were required to have tools that included small hand tools all the way up to 2 inch wrenches and 3/4 inch drive sockets and ratchets.

I have included a portion of our last contract dated 10-1-87 which now requires mechanics to provide metric tools

In representing my fellow workers I hope that you will repeal the tax on tools in Montana for those professionals who are required by their employers to furnish their own means of earning a living.

Thank You

Steven R. Feagins

Steven R. Feagins

Stream Fingers Copy

Contract

between

United Mine Workers

of America

and

Becker Coal Company

Effective **October 1, 1986**

to

October 1, 1987



EXHIBIT 4

DATE 2/7/89

HB 415

Rep. J. Patterson

Sec. V

Mechanics are required to have available all hand tools including metric tools and other tools that they are presently furnishing.



EXHIBIT 5
DATE 2/7/89
HB 415
Rep. J. Patterson

JAMES W. MURRY
EXECUTIVE SECRETARY

110 WEST 13TH STREET
P.O. BOX 1176
HELENA, MONTANA 59624

(406) 442-1708

Statement of Jim Murry before the House Taxation Committee on House Bill
415, February 7, 1989.

Mr. Chairman and members of the Committee, for the record, I am Jim Murry, Executive Secretary of the Montana State AFL-CIO. I am here today to support House Bill 415 which would exempt hand-held tools from property taxation.

The present property tax on hand-held tools is inconsistent, unfair and does not rely on a worker's ability to pay. Workers who make their livelihoods with the use of hand-held tools must keep a significant stock of those tools on-hand whether or not they happen to be employed.

As a condition of their employment, many workers must provide their own tools. Unlike most employers, these workers are not able to pass on the costs of their tools -- and associated costs like property taxes -- to customers. Many of these workers are seasonal or work on an as-needed basis. These men and women can go months without work, but they must still pay the property tax on their tools.

This tax has a history of inconsistent and unfair application. Some counties levy an assessment; some do not. Why should a worker in one part of the state pay the tax while another who lives in a different county not have to bother. Taxes should be uniformly assessed and applied. This particular tax is not.

The Montana State AFL-CIO believes that all taxation issues should be based on ability to pay. We believe in tax fairness and equity. The present system fails on all accounts.

I urge you to give favorable consideration to House Bill 415.

EXHIBIT 6
DATE 2/7/89
HB 415
Rep. J. Paterson

WITNESS STATEMENT

NAME Tim Oman BUDGET Bill # 415

ADDRESS 8615 Pleasant Drive, Missoula, Mt. 59802

WHOM DO YOU REPRESENT? Long Machinery

SUPPORT yes OPPOSE _____ AMEND _____

COMMENTS: I am in support of this bill because it is needed to clarify this long abused and misused code. Clarification will clear the way for a better and less confusing law. Currently in Missoula we see a new twist of this law being applied to private individuals working at an hourly wage by an employer who is the business. We are being asked to file business tax forms on our tools that we have to supply on our own in order to do our job and we have none of the benefits that a business has to allow us a write off depreciation or even a deduction. In reviewing the code myself I find it impossible to see how they - meaning Missoula County Assessors office - can twist this statute to tax the people they do. I have listened to their reasoning and find it without substance as it is based on speculation or their own reasoning and not in the law itself, not to mention the rightness or wrongfulness of the situation. No matter how good it sounds, if it is not rightfully based in the beginning, its total is wrong. Another wrong based on this misunderstood Code does not make a right. Lets make it clear pass 415.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

WITNESS STATEMENT

EXHIBIT 7DATE 2/2/89HB 415

Rep. J. Patterson

NAME Bert Rouns BILL NO. HB415
ADDRESS 4900 Lower Miller Co. Meade Mt. DATE 2/2/89
WHOM DO YOU REPRESENT? Long Machinery
SUPPORT yes OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

To my understanding this tax is for Rural Telephone x Elect. When it was drafted it had nothing to do with taxing mechanics hand tools. I do not feel that as mechanics we can be taxed for tools that are required to do our jobs. I also don't see how Missoula only can enforce this tax when other counties say that it costs more to collect than what is actually collected. I feel that if the whole state was involved there would be a lot more opposition to 15-6-137 Class seven property section (d). I believe that all mechanics hand tools should be excluded from personal property tax.

WITNESS STATEMENT

Rep. J. Patterson

NAME BOB ANDERSON BILL NO. HB 415
ADDRESS 2773 MERIWETHER DATE 2-7-89
WHOM DO YOU REPRESENT? EQUIPCO, Missoula, MT. 59802
SUPPORT yes OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: we feel that this taxation is unfair.

Missoula, County is only county in enforcement,
AND ARE ONLY PICKING ON MECHANICS. WHO WILL THEY
PICK ON NEXT? THE PERSON WHO BUYS PENS &
PENCILS FOR HIS WORK.

THE COST OF TOOLS ARE HIGH PRICED AS IS.
THE COST OF TOOLS WILL NEVER GO DOWN.
WHY KEEP PAYING FOR TOOLS OVER & OVER.

THE WAY THE MANUFACTURERS KEEP CHANGING
A MECHANIC MUST KEEP BUYING TOOLS TO
STAY UP WITH THE CHANGES. THIS MEANS

THAT YOUR TAXES WILL GO UP EVERY YEAR.
ARE THEY GOING TO SEND ASSESSORS AROUND

TO CHECK EVERYONE, WHAT ABOUT THE PERSON
WHO HAS TOOLS AT HOME TO FIX HIS
LAWN MOWER. WILL THEY START ENFORCING IT
ON CARPENTERS, PLUMBERS, & OTHERS WHO USE
HAND TOOLS.

EXHIBIT

9

DATE 2/7/89

HB 415

Rep. J. Patterson

February 6, 1989

Mr. Chairman and Members of the Committee, I am Jerry Jack and represent the Montana Stockgrowers Association. Today, I am also speaking for the Montana CattleWomen, the Montana Association of State Grazing Districts, the Dairymen's Association, Women Involved in Farm Economics, the Farm Bureau, Farmers Union, the Montana Cattlemen's Association, and the Montana Cattlefeeders' Association.

We support HB 415 which will exempt any tool that is hand held from the Class 7 Property Classification. We feel that this exemption is reasonable, particularly given the fact that there is so much inequity in the way that such tools are reported. Statistics are available which show that many tools of this nature are not reported in some localities and/or towns while in other similar sized localities they are reported and taxed. Because of this, it is left up to the individual to determine whether he or she will list these tools for tax purposes or not. Rather than leave it to individuals, our organizations feel that it would be in the State's best interests to delete these tools which are hand held from the Class 7 Property Classification.

We would appreciate your support in passing this bill.

Jerry Jack

EXHIBIT

DATE

HB

2/1/89

208

Rep. J. Alvisoll

Mr. Chairman --- Members of the Committee

I am Marvin Barber resident of Sweet Grass County, Big Timber, Mt.

I was in contact with Mr. Mel Lawson, Business Manager for Stillwater Mining Company, of Big Timber, Mt. He gave the value of the mining drill, which was referred to in the testimony on Jan. 31, 1989 in House Taxation. The value is \$2,000,000 plus, and this is not adding any of the support equipment.

The taxes paid on a market value of \$2,000,000 at a mill levy of .250 mills, is \$55,000. The formula for arriving at this figure is as follows: \$2,000,000 -----Market Value

X 11% = \$220,000 Taxable Val.
X .250 mills = \$55,000 Tax
Dollars

Marvin Barber
Feb 3-1989



HOUSE TAXATION

As of February 3, 1989
NANCY KEENAN OPI SCHOOL IMPACT REPORT

EXHIBIT 11
DATE 3/28/89
HB N/A

Heard	Bill #	Title	State Funds for Schools FY90	Local Schools FY90	Total Education Impact FY90	no fiscal information	Total Education Impact FY91
1/12	HB55	Estimation of unclaimed property assessments (Transmitted to Senate)					
1/20	HB125	Revise property tax freeze-inflation, mandated costs, voted charge (In Committee)	5,533,000	11,804,000	17,337,000		36,149,000
2/3	HB236	Amending constitution to dedicate 7.5% of coal severance tax to public school fund (In Committee)	-0-*	-0-	-0-		-0-
2/3	HB435	Allow county electors to remove tax freeze for taxing units in county, (In Committee)				no fiscal note	
TOTAL:			5,533,000	11,804,000	17,337,000		36,149,000

*In FY92, the foundation program would receive 95% of the interest earned on the investment of the dedicated amount.

HOUSE TAXATION

As of February 3, 1989
NANCY KEENAN OPI SCHOOL IMPACT REPORT

DATE 2/17/89
HB N/A

Heard	Bill #	Title	State Funds for Schools		Local Schools		Total Education Impact	
			FY90	FY91	FY90	FY91	FY90	FY91
1/12	HB41	Lowers tax for some coal (Will act on 1/18) (Transmitted to Senate)	(6,000)	(14,000)			(6,000)	(14,000)
1/10	HB10	Oil tax cuts education trust fund (Tabled 1/11)					no fiscal note	
1/4	HB15	Exempt motorboats 5 HP or less (Tabled 1/12)	(9,000)	(9,000)	(14,000)	(14,000)	(23,000)	(23,000)
1/4	HB30	Changing tax on "old vehicles" (Being held)					no fiscal information	
1/11	HB35	Change personal property assessment tax on livestock, "coal & oil hauling trucks," etc. (Still in Committee)	(31,000)	(31,000)	(62,000)	(62,000)	(93,000)	(93,000)
1/13	HB90	Exempt trucks, etc. from property tax (Amended for recreational & comm.) (Passed out of Committee 1/17) (Referred to S Agriculture)	(16,000)	(16,000)	(28,000)	(28,000)	(44,000)	(44,000)
1/17	HB95	Exempt lottery prizes from state income tax (Adverse Committee Report)	(27,000)	(108,000)			(27,000)	(108,000)
1/24	HB181	Method to appropriate coal tax proceeds to public school trust fund (In Committee)					no fiscal note	
1/31	HB208	Prepayment of property taxes by hard-rock mine exploration developers. (In Committee)					no fiscal note	
1/26	HB280	Revising definition of "income" to increase property tax relief (In Committee)	(141,000)	(286,000)	(243,000)	(598,000)	(384,000)	(884,000)
2/2	HB293	Credit for household and dependent care based on I.R.C. (In Committee)	(690,000)	(724,000)				
2/2	HB451	Standard deduction in addition to deduction for house and dependent care. (In Committee)					no fiscal note	

HOUSE TAXATION

As of February 3, 1989
NANCY KEENAN OPI SCHOOL IMPACT REPORT

Page 2

Heard	Bill #	Title	State Funds for Schools FY90	FY91	Local Schools FY90	FY91
2/1	SB17	Property tax less on old cars (In Committee)	(33,000)	(33,000)	(59,000)	(59,000)
		TOTAL	(953,000)	(1,221,000)	(406,000)	(761,000)

1 (87,096) in 92; (44,916) in 93

* at 1.9m/mill
at 2.3m/1% general income tax charge

Total Education Impact FY90	FY91	
(92,000)	(92,000)	
(1,359,000)	(1,982,000)	

*An additional .7153 mills necessary to offset this loss or .59% income tax surcharge.

*An additional 1.0432 mills necessary to offset this loss or .86% income tax surcharge.

SENATE TAXATION

Heard	Bill #	Title	State Funds for Schools		Local Schools		Total Education Impact	
			FY90	FY91	FY90	FY91	FY90	FY91
1/12	S81	Private coal royalty to be saved as federal and state (In Committee) (Transmitted to House)	(61,000) ¹	(61,000)			(61,000)	(61,000)
1/5	S817	Property tax less on old cars (Passed Senate; in House 1/11)	(33,000)	(33,000)	(59,000)	(59,000)	(92,000)	(92,000)
1/9	S850	Refund property tax if proprietor moves out of state (Tabled 1/11)		no fiscal information			no fiscal information	
1/16	S890	Repeals an unconstitutional bill (Passed out of Committee 1/16) (Transmitted to House 1/20)		no fiscal information			no fiscal information	
1/19	S897	Exempting certain class 14 property and additions or expansions to class 14 & 4 (In Committee)	(224,000)	(454,000)	(470,000)	(950,000)	(694,000)	(1,404,000)
1/24	S8118	Revise property tax protest laws (In Committee)		no fiscal information			no fiscal information	
1/25	S8137	Election to forego carryback of NOL's of corporations (Committee Report--do pass) (Transmitted to House)		no fiscal information			no fiscal information	
1/25	S8184	Eliminate tax on livestock and agricultural products (In Committee) (Passed out of Committee)	(1,030,000) ²	(992,000) ²	(1,689,000)	(1,627,000)	(2,719,000)	(2,619,000)
2/1	S8220	Discount for payment of entire property tax bill in November (In Committee)	(4,089,000)	(4,031,000)	(8,980,000)	(8,852,000)	(13,069,000)	(12,883,000)
2/2	S8230	Allow property taxes to be paid in monthly installments (In Committee)		no fiscal note			no fiscal note	
2/2	S8282	Credit for employer payment of employee dependent care assistance (In Committee)		no fiscal note			no fiscal note	

As of February 3, 1989
OFI SCHOOL IMPACT REPORTEXHIBIT 11
DATE 2/7/89
HB N/A

Heard	Bill #	Title
2/1	HB4	Lowers tax for some coal
TOTAL		

State Funds for Schools	
FY90	FY91
(6,000)	(14,000)
(5,443,000)	(5,585,000)

Local Schools	
FY90	FY91
(11,198,000)	(11,488,000)

Total Education Impact	
FY90	FY91
(6,000)	(14,000)
(16,641,000)	(17,073,000)

1 (Approximately 3.8% of coal tax royalties go to foundation program)

2 (Due to retroactive date, local school district revenues will be reduced by \$552,000 in FY 89)

at 1.5m/mill

at 2.5m/1% general income tax charge

*An additional 8.7584 mills necessary to offset this loss or 7.24% income tax surcharge. *An additional 8.9858 mills necessary to offset this loss or 7.42% income tax surcharge.

SENATE TAXATION

As of February 3, 1989
NANCY KEENAN OPI SCHOOL IMPACT REPORT

Heard	Bill #	Title	State Funds for Schools FY90	FY91	Local Schools FY90	FY91	Total Education Impact FY90	FY91
1/11	SB2	Cleers up 105 interpretation (In Committee)			7,689,000	7,689,000	7,689,000	7,689,000
1/10	SB65	Similar to SB2 (In Committee)			7,689,000	7,689,000	7,689,000	7,689,000
TOTAL:			-0-	-0-	15,378,000	15,378,000	15,378,000	15,378,000

VISITORS' REGISTER

HOUSE TAXATIONCOMMITTEEBILL NO. HB 472DATE February 7, 1989SPONSOR Rep. Bob Raney

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
<i>Frederick H. H.</i>	<i>AARP</i>	<i>✓</i>	
<i>Lo Dean Lewis</i>	<i>AARP</i>	<i>✓</i>	
<i>Tim Adams</i>	<i>MSCA</i>	<i>✓</i>	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HOUSE TAXATION

COMMITTEE

BILL NO. HB 442

DATE February 7, 1989

SPONSOR Rep. Mac McCormick

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HOUSE TAXATION

COMMITTEE

BILL NO. HB 359

DATE February 7, 1989

SPONSOR Rep. John Cobb

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Rich Marble MDOR			

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HOUSE TAXATION

COMMITTEE

BILL NO. HB 415

DATE February 7, 1989

SPONSOR Rep. John Patterson

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
BOB ANDERSON	2793 Meriwether MSIA	X	X
Bart Rouns	41900 Lower Miller Cr.	X	
Tim Oman	8615 Pheasant Drive	X	
SA Collins	Box 880 Forsyth	X	
Stuart Higgins	443 E. College Shandon WY	X	
Kerry Jack - Mt Stockgrowers	& members of Ag Coalition	X	
Gen Blanche	Box 5929 Helena	X	
Jim Murray	Mont. State A-2-LRO	X	
Reley Johnson	NFIB	X	
Denny Burr	MONTAX	✓	
Jack Sugg	3234 Daisy St E. H/n	✓	
Phil Campbell	MEA		X

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

ROLL CALL VOTE

TAXATION

COMMITTEE

DATE February 7 BILL NO. HB 208 NUMBER _____

NAME	AYE	NAY
Cohen, Ben	✓	
Driscoll, Jerry	✓	
Elliott, Jim	✓	
Ellison, Orval		✓
Giacometto, Leo		✓
Gilbert, Bob		✓
Good, Susan		✓
Hanson, Marian		✓
Hoffman, Robert		✓
Koehnke, Francis		✓
O'Keefe, Mark		✓
Patterson, John	✓	
Raney, Bob		✓
Ream, Bob	✓	
Rehberg, Dennis	✓	
Schye, Ted		✓
Stang, Barry "Spook"	✓	
Harrington, Dan, Chairman	✓	

TALLY

LaRue John
Secretary

8 10
Alan Harrington
Chairman

MOTION: DO PASS ON AMENDMENTS TO HB 208. Motion failed

8 to 10.

ROLL CALL VOTE

TAXATION

COMMITTEE

DATE February 7 BILL NO. HB 208 NUMBER

NAME	AYE	NAY
Cohen, Ben	✓	
Driscoll, Jerry	✓	
Elliott, Jim	✓	
Ellison, Orval		✓
Giacometto, Leo		✓
Gilbert, Bob		✓
Good, Susan		✓
Hanson, Marian		✓
Hoffman, Robert		✓
Koehnke, Francis		✓
O'Keefe, Mark	✓	
Patterson, John		✓
Raney, Bob	✓	
Ream, Bob	✓	
Rehberg, Dennis		✓
Schye, Ted	✓	
Stang, Barry "Spook"		✓
Harrington, Dan, Chairman	✓	

TALLY

La Hana John
Secretary

8 10
Dan Harrington
Chairman

MOTION: DO PASS ON HB 208. MOTION failed by 8 to 10 vote.