

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By CHAIRMAN NORM WALLIN, on April 6, 1993, at 3:50 p.m.

ROLL CALL

Members Present:

Rep. Norm Wallin, Chairman (R)
Rep. Ray Brandewie, Vice Chairman (R)
Rep. Ellen Bergman (R)
Rep. Tim Dowell (D)
Rep. Stella Jean Hansen (D)
Rep. Jack Herron (R)
Rep. Sheila Rice (D)
Rep. Tim Sayles (R)
Rep. Liz Smith (R)
Rep. Randy Vogel (R)
Rep. Karyl Winslow (R)
Rep. Diane Wyatt (D)

Members Excused: Rep. Bohlinger, Rep. Brown, Rep. Ewer, and Rep. McCaffree (D)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Council
Pat Bennett, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: None.
Executive Action: SB 106

EXECUTIVE ACTION ON SENATE BILL 106

Motion/Vote: REP. VOGEL moved to bring SB 106 off the table. Motion carried 7-6 with REPS. MCCAFFREE, EWER, DOWELL, RICE, HANSEN, and WYATT opposing.

Discussion: REP. BRANDEWIE informed the Committee that SB 106 would allow the taxpayer to recover overpaid taxes for the past ten years should it be discovered during an audit. At the present time the Department of Revenue (DOR) has 10 years it can go back on for audits and it is only fair that the taxpayer have the same time limit.

REP. SMITH asked if questions could be asked of those present from DOR. REP. DOWELL objected.

REP. WYATT noted that her concern was that the statute would bypass county commissioners and the State Tax Appeal Board (STAB) and any appeals would go directly to the district court.

REP. VOGEL asked Mr. Campbell to make a distinction between the present law and the proposed bill. Mr. Campbell said that under current law a taxpayer can submit a tax appeal to the county commissioners. If the commissioners review the request and do not agree, the taxpayer can then go to the STAB. The proposed bill would omit the STAB, therefore, an appeal would go from the county commissioners directly to the district court.

Motion/Vote: REP. BRANDEWIE MOVED SB 106 BE CONCURRED IN. Motion carried 9-5 on a roll call vote with REPS. EWER and MCCAFFREE voting by proxy.

ADJOURNMENT

Adjournment: 4:45 P.M.



NORM WALLIN, Chairman



PAT BENNETT, Secretary

NW/pb

HOUSE OF REPRESENTATIVES

LOCAL GOVERNMENT

COMMITTEE

ROLL CALL

DATE

7-6-93


NAME	PRESENT	ABSENT	EXCUSED
REP. NORM WALLIN, CHAIRMAN	✓		
REP. RAY BRANDEWIE, VICE CHAIRMAN	✓		WALLIN
REP. ELLEN BERGMAN	✓		
REP. JOHN BOHLINGER			✓
REP. DAVE BROWN			✓
REP. TIM DOWELL	✓		
REP. DAVID EWER proxy			✓
REP. STELLA JEAN HANSEN	✓		
REP. JACK HERRON	✓		
REP. ED McCAFFREE proxy			✓
REP. SHEILA RICE	✓		
REP. TIM SAYLES	✓		
REP. LIZ SMITH	✓		
REP. RANDY VOGEL	✓		
REP. KARYL WINSLOW	✓		
REP. DIANA WYATT	✓		

HOUSE STANDING COMMITTEE REPORT

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Mr. Speaker: We, the committee on Local Government report that
Senate Bill 106 (third reading copy -- blue) be concurred in .

Signed: 

Norm Wallin, Chair

Carried by: Rep. Brandewie

Committee Vote:
Yes 9, No 5.

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HOUSE OF REPRESENTATIVES

LOCAL GOVERNMENT COMMITTEE

ROLL CALL VOTE

DATE 4/6 BILL NO. SB 106 NUMBER 9-5

MOTION: Rep Brandewie moved do concur
in SB 106.

Motion carried.

NAME	AYE	NO
REP. RAY BRANDEWIE, VICE CHAIRMAN	✓	
REP. ELLEN BERGMAN	✓	
REP. JOHN BOHLINGER		
REP. DAVE BROWN		
REP. TIM DOWELL	-	✓
REP. DAVID EWER		✓
REP. STELLA JEAN HANSEN		✓
REP. JACK HERRON	✓	
REP. ED McCAFFREE		✓
REP. SHEILA RICE	✓	
REP. TIM SAYLES	✓	
REP. LIZ SMITH	✓	pass
REP. RANDY VOGEL	✓	
REP. KARYL WINSLOW	✓	
REP. DIANA WYATT		✓
REP NORM WALLIN, CHAIRMAN	✓	

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Local Government COMMITTEE

BILL NO. SB 106

DATE April 6, 1993 SPONSOR(S) _____

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<u>John Adams</u>	<u>Self</u>	<u>X</u>	
<u>David N. Wood</u>	<u>Dept. of Rev.</u>	<u>X</u>	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.