

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON TAXATION

**Call to Order:** Chair Mark Blasdel, on March 18, 2011 at 10:30 A.M., in Room 152  
Capitol

#### ROLL CALL

**Members Present:**

Rep. Mark Blasdel, Chairman (R)  
Rep. Dick Barrett, Vice Chairman (D)  
Rep. Mike Miller, Vice Chairman (R)  
Rep. Steve Fitzpatrick (R)  
Rep. Kelly Flynn (R)  
Rep. Alan Hale (R)  
Rep. Brian Hoven (R)  
Rep. Austin Knudsen (R)  
Rep. Steve Lavin (R)  
Rep. Sue Malek (D)  
Rep. Edith (Edie) McClafferty (D)  
Rep. Mary McNally (D)  
Rep. Jerry O'Neil (R)  
Rep. Lee Randall (R)  
Rep. Wayne Stahl (R)  
Rep. Janna Taylor (R)  
Rep. Kathleen Williams (D)  
Rep. Max Yates (R)

**Members Excused:** None

**Members Absent:** Rep. Mike Phillips (D)

**Staff Present:** Lisa Adams, Committee Secretary  
Jeff Martin, Legislative Branch

**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:**

Executive Action on: HB 472; HB 560; HB 561; HB 562; HB 564; HB 577; HB 598; SB 1; SB 75

**EXECUTIVE ACTION ON HB 472**

00:01:17 **Motion:** Rep. Miller moved that **HB 472 DO PASS.**

**Discussion:**

00:01:28 Rep. Hoven

00:01:34 Mr. Martin

00:03:05 Rep. Barrett

00:05:12 **Substitute Motion:** Rep. Di. Barrett made a substitute motion that **HB 472 BE TABLED AND FORM A SUBCOMMITTEE TO PREPARE AMENDMENTS TO INCORPORATE ELEMENTS SEN. HENDRICKS BILL INTO HJ 13.**

**Discussion:**

00:05:28 Rep. Hoven

00:06:28 **Vote:** Motion carried 16-2 by voice vote with Rep. Hale and Rep. Taylor voting no with all those present voting.

**Discussion:**

00:06:54 Chairman Blasdel appointed Vice Chairman Miller, Rep. Lavin and Rep. Williams form a subcommittee to make amendments.

00:07:34 Rep. Barrett

00:08:22 Rep. Williams

00:09:25 Rep. Barrett

00:09:29 Chairman Blasdel

**EXECUTIVE ACTION ON HB 560**

00:09:47 **Motion:** Rep. Miller moved that **HB 560 DO PASS.**

00:10:33 **Motion:** Rep. Miller moved that **HB 560 BE AMENDED.**  
**EXHIBIT**(tah61a01)

**Discussion:**

00:10:40 Mr. Martin

00:11:48 Rep. Barrett

00:12:22 **Vote:** Motion carried 18-0 by voice vote.

00:12:30 **Motion:** Rep. Miller moved that **HB 560 DO PASS AS AMENDED.**

**Discussion:**

00:12:43 Rep. Barrett

00:13:09 Rep. Fitzpatrick

00:13:57 **Vote:** Motion carried 12-6 by roll call vote with Rep. Barrett, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Williams and Rep. Yates voting no. Rep. Phillips was absent and did not vote.

**EXECUTIVE ACTION ON HB 561**

00:14:45 **Motion:** Rep. Miller moved that **HB 561 DO PASS.**

**Discussion:**

00:15:41 Mr. Martin  
00:16:11 Chairman Blasdel  
00:16:00 Mr. Martin  
00:16:57 Rep. Williams  
00:17:12 Rep. Fitzpatrick

00:18:04 **Motion:** Rep. Fitzpatrick moved that **HB 561 BE AMENDED.**  
**EXHIBIT(tah61a02)**

**Discussion:**

00:18:35 Mr. Martin  
00:18:47 Rep. Barrett  
00:19:58 Vice Chairman Miller

00:20:18 **Vote:** Motion failed 0-18 by voice vote. Rep. Phillips was absent and did not vote.

00:21:17 **Motion:** Rep. Miller moved that **HB 561 BE AMENDED.**  
**EXHIBIT(tah61a03)**

**Discussion:**

00:21:49 Mr. Martin  
00:22:49 Rep. O'Neil  
00:23:02 Mr. Martin  
00:23:23 Rep. Barrett  
00:25:33 Rep. McNally  
00:26:13 Chairman Blasdel  
00:26:36 Rep. Barrett

00:26:40 **Vote:** Motion carried 16-2 by voice vote with Rep. McNally and Rep. Malek voting no. Rep. Phillips was absent and did not vote.

00:27:02 **Motion:** Rep. Miller moved that **HB 561 DO PASS AS AMENDED.**

**Discussion:**

00:27:25 Chairman Blasdel  
00:28:01 Rep. Barrett  
00:28:43 Rep. Malek  
00:30:01 Rep. O'Neil  
00:31:12 Mr. Martin  
00:32:01 Rep. McNally  
00:32:37 Rep. O'Neil  
00:33:30 Rep. Fitzpatrick  
00:34:56 Rep. Barrett  
00:35:53 Rep. Hoven

00:37:17 Rep. Fitzpatrick  
00:37:56 Rep. Barrett  
00:39:35 Rep. Hoven  
00:40:20 Rep. Barrett  
00:41:09 Rep. Stahl  
00:41:10 Rep. Knudsen left.  
00:45:00 Rep. Barrett  
00:45:15 Rep. McNally  
00:45:50 Rep. Taylor  
00:46:06 Rep. O'Neil  
00:46:07 Rep. Knudsen arrived.

00:47:19 **Vote:** Motion carried 12-6 by roll call vote with Rep. Barrett, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Williams and Rep. Yates voting no. Rep. Phillips was absent and did not vote.

00:48:37 Rep. Williams  
00:48:50 Mr. Martin

#### **EXECUTIVE ACTION ON HB 562**

00:49:01 **Motion:** Rep. Miller moved that **HB 562 DO PASS.**

00:49:33 **Motion:** Rep. Miller moved that **HB 562 BE AMENDED.**  
**EXHIBIT(tah61a04)**

#### **Discussion:**

00:49:50 Mr. Martin  
00:49:51 Rep. Randall left.

00:52:04 **Vote:** Motion carried 13-4 by voice vote with Rep. Malek, Rep. McClafferty, Rep. McNally and Rep. Yates voting no with all those present voting.

00:52:40 **Motion:** Rep. Miller moved that **HB 562 DO PASS AS AMENDED.**

#### **Discussion:**

00:52:49 Rep. Barrett  
00:52:50 Rep. Randall arrived.

00:53:00 **Vote:** Motion carried 10-8 by roll call vote with Rep. Barrett, Rep. Fitzpatrick, Rep. Lavin, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Williams and Rep. Yates voting no. Rep. Phillips was absent and did not vote.

#### **EXECUTIVE ACTION ON HB 564**

00:54:31 **Motion:** Rep. Miller moved that **HB 564 DO PASS.**

**Discussion:**  
00:54:58 Rep. Barrett

00:55:07 Rep. Stahl  
00:56:00 Rep. Malek  
00:56:26 Rep. Hale left.  
00:56:40 Rep. McClafferty  
00:57:02 Rep. Williams  
00:57:36 Rep. Hoven  
00:58:01 Rep. Yates  
00:58:05 Rep. Hoven  
00:58:14 Rep. Yates  
00:58:18 Rep. Hoven  
00:58:28 Rep. Hale arrived.  
00:58:43 Rep. Yates  
00:59:02 Rep. Williams  
00:59:49 Mr. Martin  
01:00:25 Rep. Williams  
01:00:35 Rep. Stahl  
01:02:26 Rep. Barrett  
01:02:49 Rep. Stahl  
01:03:00 Rep. Barrett

01:04:15 **Vote:** Motion failed 7-11 by roll call vote with Rep. Blasdel, Rep. Flynn, Rep. Hale, Rep. Knudsen, Rep. O'Neil, Rep. Randall and Rep. Stahl voting aye. Rep. Phillips was absent and did not vote.

01:05:17 **Motion/Vote:** Rep. Miller moved that **HB 564 BE TABLED AND THE VOTE REVERSED**. Motion carried 18-0 by voice vote with all those present voting.

#### **EXECUTIVE ACTION ON HB 577**

01:05:50 **Motion:** Rep. Stahl moved that **HB 577 DO PASS**.

01:05:52 Rep. McClafferty left.

01:05:56 **Motion:** Rep. Stahl moved that **HB 577 BE AMENDED**.  
[EXHIBIT\(tah61a05\)](#)

01:06:58 **Vote:** Motion carried 17-0 by voice vote. Rep. McClafferty and Rep. Phillips was absent and did not vote.

01:07:08 **Motion:** Rep. Stahl moved that **HB 577 DO PASS AS AMENDED**.

#### **Discussion:**

01:07:22 Rep. Barrett  
01:08:25 Rep. McClafferty arrived.  
01:11:14 Rep. Williams  
01:12:24 Rep. Stahl  
01:16:06 Rep. Barrett  
01:16:47 Rep. Hale  
01:17:00 Chairman Blasdel

01:17:28 **Vote:** Motion carried 14-4 by roll call vote with Rep. Barrett, Rep. Malek, Rep. McClafferty and Rep. Williams voting no. Rep. Phillips was absent and did not vote.

### EXECUTIVE ACTION ON HB 598

01:19:07 **Motion:** Rep. Knudsen moved that **HB 598 DO PASS.**

01:20:08 **Motion:** Rep. Knudsen moved that **HB 598 BE AMENDED.**  
[EXHIBIT\(tah61a06\)](#)

#### Discussion:

01:20:17 Mr. Martin  
01:21:18 Rep. Barrett  
01:21:27 Rep. Knudsen  
01:21:38 Mr. Martin  
01:22:33 Rep. Barrett

01:22:53 **Vote:** Motion carried 13-5 by roll call vote with Rep. Barrett, Rep. Malek, Rep. McClafferty, Rep. Stahl and Rep. Williams voting no. Rep. Phillips was absent and did not vote.

01:23:55 **Motion:** Rep. Knudsen moved that **HB 598 DO PASS AS AMENDED.**

#### Discussion:

01:24:08 Rep. Flynn left.  
01:24:36 Rep. Hoven  
01:25:26 Rep. Taylor  
01:26:16 Rep. Malek

01:28:35 **Vote:** Motion carried 10-8 by roll call vote with Rep. Barrett, Rep. Hoven, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Stahl, Rep. Williams and Rep. Yates voting no. Rep. Phillips was absent and did not vote.

01:29:25 Rep. Williams  
01:30:16 Rep. Barrett  
01:30:38 Mr. Martin  
01:30:45 Rep. Barrett  
01:31:23 Rep. Knudsen  
01:31:30 Chairman Blasdel

### EXECUTIVE ACTION ON SB 1

01:32:15 **Motion:** Rep. Miller moved that **SB 1 BE CONCURRED IN.**

01:33:06 **Motion:** Rep. Miller moved that **SB 1 BE AMENDED.**  
[EXHIBIT\(tah61a07\)](#)

**Discussion:**

01:33:22 Mr. Martin  
01:34:06 Rep. Barrett  
01:35:09 Rep. Stahl  
01:35:59 Rep. Barrett  
01:36:19 Chairman Blasdel  
01:36:25 Rep. Barrett  
01:36:28 Mr. Martin  
01:36:43 Rep. Barrett  
01:36:46 Rep. McClafferty  
01:37:01 Mr. Martin  
01:37:21 Rep. Stahl

01:37:44 **Vote:** Motion carried 18-0 by voice vote with all those present voting.

01:37:55 **Motion/Vote:** Rep. Miller moved that **SB 1 BE CONCURRED IN AS AMENDED.** Motion carried 18-0 by voice vote. Rep. Phillips was absent and did not vote. Rep. Barrett will carry the bill.

**EXECUTIVE ACTION ON SB 75**

01:38:32 **Motion:** Rep. Miller moved that **SB 75 BE CONCURRED IN.**

01:39:52 **Motion:** Rep. Miller moved that **SB 75 BE AMENDED.**  
[EXHIBIT\(tah61a08\)](#)

**Discussion:**

01:40:03 Rep. Stahl

01:40:33 **Vote:** Motion carried 18-0 by voice vote with all those present voting.

01:40:42 **Motion/Vote:** Rep. Miller moved that **SB 75 BE CONCURRED IN AS AMENDED.** Motion carried 18-0 by voice vote. Rep. Phillips was absent and did not vote. Rep. Stahl will carry the bill.

01:41:05 Rep. Barrett

**ADJOURNMENT**

01:41:43      Adjournment: 12:21

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Lisa Adams, Secretary

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**ADDITIONAL DOCUMENTS:**

[EXHIBIT\(tah61a09\)](#)

[EXHIBIT\(tah61a10\)](#)

[EXHIBIT\(tah61a11\)](#)

Additional Documents:

[EXHIBIT\(tah61aad.pdf\)](#)