

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Mark Blasdel, on March 30, 2011 at 8:00 AM, in Room 152 Capitol

ROLL CALL

Members Present:

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. Mary McNally (D)
Rep. Wayne Stahl (R)
Rep. Janna Taylor (R)
Rep. Kathleen Williams (D)
Rep. Max Yates (R)

Members Excused: Rep. Mark Blasdel, Chairman (R)

Members Absent: Rep. Edith (Edie) McClafferty (D)
Rep. Jerry O'Neil (R)
Rep. Mike Phillips (D)
Rep. Lee Randall (R)

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:

Hearing & Date Posted: HJ 26, 3/26/2011; SB 110, 3/26/2011; SB 199, 3/26/2011

Executive Action: HJ 26; SB 110; SB 199; SB 376; SB 288; SB 333

00:01:11 Rep. O'Neil and Rep. Randall arrived.

HEARING ON SB 110

Opening Statement by Sponsor:

00:01:35 Sen. John Brenden (R), SD 18, opened the hearing on SB 110, Exclude land occupied by county road from taxation.

00:03:56 Rep. McClafferty arrived.

00:05:25 Rep. Knudsen left.

Proponents' Testimony:

00:04:07 Ron Ostberg, Farmer, Fairfield Bench

00:09:05 Nicole Rolf, Eastern Montana Regional Manager, Montana Farm Bureau Federation (MFBF)

00:11:37 Bob Faw, self, Big Timber

00:12:36 Rep. Knudsen arrived.

Opponents' Testimony: None

Informational Testimony:

00:13:13 Cynthia Monteau Moore, Administrator, Property Assessment Division, Montana Department of Revenue (DOR)

[EXHIBIT\(tah71a01\)](#)

Questions from Committee Members and Responses:

00:16:39 Rep. O'Neil

00:17:25 Sen. Brenden

00:17:30 Rep. Taylor

00:17:47 Mr. Ostberg

00:18:10 Rep. Taylor

00:18:17 Mr. Ostberg

00:18:48 Rep. Taylor

00:19:43 Ms. Monteau Moore, DOR

00:21:21 Rep. Taylor

00:21:26 Ms. Monteau Moore

00:22:34 Rep. Taylor

00:23:02 Ms. Monteau Moore

00:23:13 Rep. Hoven

00:24:12 Dallas Reese, DOR

00:24:17 Rep. Barrett

00:24:36 Mr. Reese

00:26:32 Rep. Barrett

00:26:50 Mr. Reese

00:26:56 Rep. Malek

00:28:09 Mr. Ostberg

00:28:48 Rep. Williams

00:29:16 Mr. Reese

00:29:20 Rep. Hale left.

00:29:41 Rep. Williams

00:29:50 Mr. Reese
00:30:02 Rep. Williams
00:30:11 Mr. Reese
00:30:40 Rep. Williams
00:30:42 Rep. Randall left.
00:31:09 Rep. Barrett
00:31:34 Mr. Reese
00:33:01 Rep. Taylor
00:33:13 Mr. Reese
00:33:25 Rep. McClafferty left.
00:33:57 Rep. Flynn
00:34:20 Mr. Reese

Closing by Sponsor:

00:35:05 Sen. Brenden

HEARING ON SB 199

Opening Statement by Sponsor:

00:38:07 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 199, Revise administration of income taxes and certain penalty & interest provisions.

EXHIBIT(tah71a02)

00:43:52 Rep. Fitzpatrick left.
00:45:39 Rep. Fitzpatrick arrived.

Proponents' Testimony:

00:46:13 George S. Olsen, Montana Society of Certified Public Accountants
00:47:23 Rep. Hale arrived.
00:49:31 Rep. McClafferty arrived.
00:49:37 Rep. Stahl left.
00:49:53 Rep. Knudsen left.
00:51:05 Dan Bucks, Director, DOR
00:54:19 Rep. Randall and Rep. Knudsen arrived.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:56:41 Rep. Barrett
00:57:21 Dir. Bucks
00:57:38 Rep. Flynn
00:58:00 Sen. Balyeat

Closing by Sponsor:

01:00:52 Sen. Balyeat

HEARING ON HJ 26**Opening Statement by Sponsor:**

01:03:36 Rep. Bob Wagner (R), HD 71, opened the hearing on HJ 26, Study energy consumption tax to replace other taxes.

01:04:32 Rep. Flynn left.

01:07:52 Rep. Flynn arrived.

01:08:03 Rep. Fitzpatrick left.

01:12:18 Rep. Fitzpatrick arrived.

01:12:30 Rep. Randall left.

01:14:32 Rep. Knudsen left.

Proponents' Testimony:

01:16:39 Kyla Wiens, Montana Environmental Information Center

01:17:04 Rep. Randall arrived.

01:18:20 Rep. McNally left.

Opponents' Testimony: None**Informational Testimony:** None**Questions from Committee Members and Responses:**

01:19:13 Rep. Williams

01:19:56 Rep. McClafferty left.

01:20:02 Rep. Wagner

Closing by Sponsor:

01:22:55 Rep. Wagner

01:23:05 Rep. McNally arrived.

01:25:07 Rep. McClafferty arrived.

01:25:15 Rep. Knudsen arrived.

EXECUTIVE ACTION ON SB 288

01:27:39 **Motion/Vote:** Rep. Miller moved that **SB 288 BE CONCURRED IN**. Motion carried 16-0 by voice vote, present and voting. Rep. Hale will carry the bill.

EXECUTIVE ACTION ON SB 333

01:28:51 **Motion/Vote:** Rep. Di. Barrett moved that **SB 333 BE CONCURRED IN**. Motion carried 15-1 by voice vote with Rep. Hale voting no. Rep. Fitzpatrick will carry the bill.

EXECUTIVE ACTION ON SB 376

01:29:50 **Motion:** Rep. Di. Barrett moved that **HR 376 BE CONCURRED IN.**

Discussion:

01:30:00 Rep. O'Neil
01:30:20 Rep. Barrett
01:30:32 Rep. O'Neil
01:30:39 Rep. Yates
01:31:00 Vice Chairman Miller
01:31:07 Mr. Martin
01:31:11 Rep. Yates
01:31:19 Rep. O'Neil
01:31:46 Rep. Barrett
01:32:26 Rep. O'Neil
01:32:40 Rep. Barrett
01:32:50 Rep. O'Neil

01:33:13 **Vote:** Motion carried 15-1 by voice vote with Rep. O'Neil voting no, present and voting. Rep. Yates will carry the bill.

01:33:35 Rep. Barrett

EXECUTIVE ACTION ON SB 199

01:35:15 **Motion/Vote:** Rep. Di. Barrett moved that **SB 199 BE CONCURRED IN.** Motion carried 16-0 by voice vote. Rep. Barrett will carry the bill.

01:34:58 Rep. Taylor

EXECUTIVE ACTION ON SB 110

01:35:55 Rep. Barrett

01:36:16 **Motion:** Rep. McNally moved that **SB 110 BE CONCURRED IN.**

Discussion:

01:36:26 Rep. O'Neil
01:37:26 Rep. Knudsen
01:38:02 Rep. Barrett
01:38:59 Rep. Flynn left.
01:39:33 Vice Chairman Miller
01:39:48 Rep. Randall
01:40:00 Rep. Flynn arrived.
01:40:42 Rep. O'Neil
01:40:58 Rep. Randall

01:41:45 **Vote:** Motion carried 16-0 by voice vote, present and voting. Rep. Knudsen will carry the bill.

EXECUTIVE ACTION ON HJ 26

01:43:28 **Motion:** Rep. Taylor moved that **HJ 26 DO PASS.**

Discussion:

01:44:42 Rep. Knudsen

01:45:20 Rep. Stahl arrived.

01:45:43 Rep. Barrett

01:47:23 **Substitute Motion/Vote:** Rep. Randall made a substitute motion that **HJ 26 BE TABLED.** Substitute Motion carried 15-1 by voice vote with Rep. Hale voting no, present and voting.

ADJOURNMENT

01:48:15 Adjournment: 9:48 a.m.

Lisa Adams, Secretary

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Additional Documents:

EXHIBIT([tah71aad.pdf](#))