

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Mark Blasdel, on April 8, 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. Jerry O'Neil (R)
Rep. Kathleen Williams (D)
Rep. Max Yates (R)

Members Excused: None

Members Absent: Rep. Sue Malek (D)
Rep. Edith (Edie) McClafferty (D)
Rep. Mary McNally (D)
Rep. Mike Phillips (D)
Rep. Lee Randall (R)
Rep. Wayne Stahl (R)
Rep. Janna Taylor (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 31, 4/6/2011

Executive Action: SB 94; SB 214; SB 265; SB 406; SB 411; SB 412; SB 426; SB 429; HJ 13; HJ 24; HJ31

HEARING ON HJ 31**Opening Statement by Sponsor:**

00:00:50 Rep. Gordon Hendrick (R), HD 14, opened the hearing on HJ 31, Study of property tax reappraisal process.

EXHIBIT(tah79a01)

00:01:54 Rep. Stahl, Rep. Malek and Rep. McClafferty arrived.
00:02:05 Rep. Taylor arrived.
00:02:21 Rep. McNally arrived.
00:03:16 Rep. Stahl left.

Proponents' Testimony:

00:06:36 Patty Lovaas, Accountant, Missoula
00:07:08 Rep. Stahl arrived.

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

00:11:43 Rep. Barrett
00:12:14 Rep. Knudsen left.
00:12:38 Rep. Hendrick
00:13:10 Rep. Barrett
00:13:30 Rep. Hendrick
00:14:20 Rep. Barrett
00:14:30 Rep. Hendrick
00:14:38 Rep. Williams
00:15:36 Mr. Martin
00:16:48 Rep. Williams
00:16:52 Rep. Knudsen arrived.
00:16:59 Rep. Randall arrived.
00:17:06 Rep. Hendrick

Closing by Sponsor:

00:17:55 Rep. Hendrick

EXECUTIVE ACTION ON HJ 13

00:21:02 **Motion:** Rep. Miller moved that **HJ 13 DO PASS.**

Discussion:

00:21:18 Rep. Barrett
00:21:36 Rep. Stahl

00:21:57 **Vote:** Motion carried unanimously by voice vote. Rep. Phillips voted by proxy.

EXECUTIVE ACTION ON HJ 24

00:22:26 **Motion:** Rep. Miller moved that **HJ 24 DO PASS.**

Discussion:

00:22:31 Rep. Barrett
00:22:50 Rep. O'Neil
00:23:16 Rep. Hoven
00:23:56 Vice Chairman Miller

00:24:13 **Vote:** Motion carried 13-6 by roll call vote with Rep. Barrett, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips and Rep. Williams voting no. Rep. Phillips voted by proxy.

EXECUTIVE ACTION ON SB 94

00:25:34 **Motion:** Rep. Miller moved that **SB 94 BE CONCURRED IN.**

Discussion:

00:25:42 Rep. Hoven
00:27:40 Rep. Barrett
00:28:51 Vice Chairman Miller
00:29:22 Rep. Stahl
00:30:15 Rep. Malek
00:30:52 Rep. Flynn left.

00:31:09 **Vote:** Motion failed 9-10 by roll call vote with Rep. Barrett, Rep. Hoven, Rep. Lavin, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips, Rep. Williams and Rep. Yates voting aye. Rep. Flynn and Rep. Phillips voted by proxy.

00:32:19 **Motion/Vote:** Rep. Miller moved that **SB 94 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote, present and voting.

EXECUTIVE ACTION ON SB 214

00:32:42 **Motion:** Rep. Miller moved that **SB 214 BE CONCURRED IN.**

00:34:27 **Motion:** Rep. Di. Barrett moved that **SB 214 BE AMENDED.**
[EXHIBIT\(tah79a02\)](#)

Discussion:

00:34:52 Mr. Martin
[EXHIBIT\(tah79a03\)](#)
00:35:34 Rep. Barrett

00:37:47 **Vote:** Motion carried unanimously by voice vote, present and voting.

00:37:53 **Motion:** Rep. Di. Barrett moved that **SB 214 BE CONCURRED IN AS AMENDED.**

Discussion:

00:38:15 Rep. Stahl
00:39:20 Vice Chairman Miller
00:39:40 Rep. Barrett
00:41:11 Rep. O'Neil
00:41:53 Rep. Taylor
00:42:01 Rep. Stahl
00:44:10 Rep. Flynn arrived.

00:44:43 **Vote:** Motion carried 11-8 by roll call vote with Rep. Blasdel, Rep. Flynn, Rep. Hale, Rep. Knudsen, Rep. O'Neil, Rep. Randall, Rep. Stahl and Rep. Taylor voting no. Rep. Phillips voted by proxy. Rep. Barrett will carry the bill.

EXECUTIVE ACTION ON SB 265

00:46:35 **Motion:** Rep. Miller moved that **SB 265 BE CONCURRED IN.**

00:46:49 **Motion:** Rep. McNally moved that **SB 265 BE AMENDED.**
EXHIBIT(tah79a04)

Discussion:

00:48:11 Mr. Martin

00:49:09 **Motion/Vote:** Rep. McNally made a motion that **AMENDMENT (Exhibit 4) BE CONCEPTUALLY AMENDED TO CHANGE 85% TO 91%.** Motion carried 17-1 by voice vote with Rep. Stahl voting no, present and voting.

00:49:44 **Motion:** Rep. McNally moved that **SB 265 BE AMENDED.**

Discussion:

00:50:16 Rep. O'Neil
00:50:31 Rep. Barrett

00:51:34 **Vote:** Motion carried 16-2 by voice vote with Rep. Hale and Rep. O'Neil voting no, present and voting.

00:51:53 **Motion:** Rep. Miller moved that **SB 265 BE CONCURRED IN AS AMENDED.**

Discussion:

00:52:11 Rep. Barrett
00:52:37 Rep. Taylor
00:53:25 Vice Chairman Miller
00:53:59 Rep. Stahl
00:54:47 Rep. O'Neil
00:55:25 Rep. Williams
00:56:16 Rep. McNally

00:56:58 **Vote:** Motion carried 11-8 by roll call vote with Rep. Blasdel, Rep. Hale, Rep. Knudsen, Rep. O'Neil, Rep. Randall, Rep. Stahl, Rep. Taylor and Rep. Yates voting no. Rep. Phillips voted by proxy. Rep. Williams will carry the bill.

EXECUTIVE ACTION ON SB 411

00:58:47 **Motion:** Rep. Miller moved that **SB 411 BE CONCURRED IN.**

00:58:57 **Motion:** Rep. Miller moved that **SB 411 BE AMENDED.**
EXHIBIT(tah79a05)

Discussion:

00:59:28 Mr. Martin
00:59:57 Rep. Fitzpatrick left.
01:00:49 Rep. Barrett

01:01:09 **Vote:** Motion carried 17-0 by voice vote, present and voting.

01:01:22 **Motion:** Rep. Miller moved that **SB 411 BE CONCURRED IN AS AMENDED.**

Discussion:

01:01:32 Vice Chairman Miller
01:01:48 Rep. Yates
01:02:09 Rep. Fitzpatrick arrived.
01:02:18 Rep. Barrett
01:03:15 Rep. Stahl
01:03:39 Rep. Barrett

01:04:06 **Vote:** Motion carried 16-3 by voice vote with Rep. Hale, Rep. O'Neil and Rep. Randall voting no. Rep. Phillips voted by proxy. Rep. Barrett will carry the bill.

EXECUTIVE ACTION ON SB 412

01:04:51 **Motion:** Rep. Miller moved that **SB 412 BE CONCURRED IN.**

Discussion:

01:05:08 Vice Chairman Miller
01:05:14 Rep. Barrett
01:05:31 Vice Chairman Miller
01:05:37 Rep. Stahl
01:07:52 Rep. Malek
01:08:20 Rep. Hale left.
01:09:01 Rep. Knudsen
01:09:48 Rep. Barrett
01:10:33 Rep. Hale arrived.
01:11:22 Rep. Stahl
01:11:48 Rep. Yates
01:12:36 Rep. Barrett

01:13:16 Rep. McNally
01:13:58 Rep. Randall left.
01:14:50 Rep. Knudsen
01:16:00 Rep. Hoven
01:16:25 Rep. Taylor
01:16:58 Rep. Hoven
01:17:01 Rep. Taylor
01:17:28 Rep. Flynn
01:17:39 Rep. Stahl
01:19:37 Rep. McNally
01:19:50 Rep. Stahl
01:20:01 Rep. McNally
01:20:05 Rep. Stahl
01:20:07 Rep. McNally
01:20:09 Rep. Stahl
01:20:10 Rep. McNally
01:20:13 Rep. Stahl
01:20:17 Rep. McNally
01:20:21 Rep. Stahl
01:20:42 Rep. McNally
01:20:44 Rep. Stahl
01:20:51 Mr. Martin
01:20:54 Rep. Stahl
01:20:56 Mr. Martin
01:21:25 Rep. McClafferty
01:21:56 Annie Glover, Confederated Salish and Kootenai Tribes
01:22:33 Rep. Stahl
01:22:46 Ms. Glover
01:22:57 Rep. Stahl
01:23:50 Ms. Glover
01:24:08 Rep. Barrett
01:24:52 Rep. Stahl
01:25:38 Rep. O'Neil

01:26:08 **Vote:** Motion carried 15-4 by roll call vote with Rep. Flynn, Rep. Hale, Rep. Randall and Rep. Stahl voting no. Rep. Phillips voted by proxy. Rep. Small will carry the bill.

EXECUTIVE ACTION ON SB 426

01:27:16 **Motion:** Rep. Miller moved that **SB 426 BE CONCURRED IN.**

01:27:40 **Motion:** Rep. Miller moved that **SB 426 BE AMENDED.**
EXHIBIT(tah79a06)

Discussion:

01:28:39 Chairman Blasdel
01:28:51 Mr. Martin

- 01:29:28 **Vote:** Motion carried 18-0 by voice vote, present and voting.
- 01:29:30 Rep. McClafferty left.
- 01:29:39 **Motion:** Rep. Miller moved that **SB 426 BE CONCURRED IN AS AMENDED.**
- 01:30:00 **Motion:** Rep. Miller moved that **SB 426 BE AMENDED.**
EXHIBIT(tah79a07)

Discussion:

- 01:30:25 Rep. Randall
- 01:30:44 Rep. McClafferty arrived.
- 01:30:45 **Vote:** Motion carried 18-0 by voice vote, present and voting.
- 01:30:56 **Motion:** Rep. Miller moved that **SB 426 BE CONCURRED IN AS AMENDED.**

Discussion:

- 01:31:08 Rep. Malek
- 01:31:50 Rep. Randall
- 01:32:46 Rep. Barrett
- 01:33:38 Rep. McClafferty left.
- 01:34:43 Rep. McClafferty arrived.
- 01:36:35 **Vote:** Motion carried 13-6 by roll call vote with Rep. Barrett, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips and Rep. Williams voting no. Rep. Phillips voted by proxy. Rep. McGillvray will carry the bill.

EXECUTIVE ACTION ON SB 429

- 01:37:50 **Motion:** Rep. Miller moved that **SB 429 BE CONCURRED IN.**
- 01:38:13 **Motion:** Rep. Miller moved that **SB 429 BE AMENDED.**
EXHIBIT(tah79a08)

Discussion:

- 01:38:32 Mr. Martin
- 01:40:47 Rep. Williams
- 01:41:01 Rep. Lavin and Rep. Knudsen left.
- 01:41:10 Mr. Martin
- 01:41:41 Rep. Williams
- 01:41:59 Mr. Martin
- 01:42:20 **Vote:** Motion carried 16-0 by voice vote, present and voting.
- 01:42:25 **Motion:** Rep. Miller moved that **SB 429 BE CONCURRED IN AS AMENDED.**

Discussion:

01:43:01 Mr. Martin
01:43:18 Rep. Knudsen arrived.
01:43:22 Rep. Malek
01:44:16 Rep. Fitzpatrick
01:45:10 Rep. Williams
01:45:29 Mr. Martin
01:46:10 Rep. Williams

01:46:34 **Vote:** Motion carried 13-6 by roll call vote with Rep. Barrett, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips and Rep. Williams voting no. Rep. Phillips voted by proxy.

EXECUTIVE ACTION ON SB 406

01:47:54 **Motion/Vote:** Rep. Miller moved that **SB 406 BE REMOVED FROM TABLED.** Motion carried 12-6 by roll call vote with Rep. Barrett, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Williams and Rep. Yates voting no.

01:49:41 **Motion:** Rep. Miller moved that **SB 406 BE CONCURRED IN.**

Discussion:

01:49:56 Rep. Flynn

01:50:07 **Vote:** Motion carried 12-7 by roll call vote with Rep. Barrett, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips, Rep. Williams and Rep. Yates voting no. Rep. Phillips voted by proxy. Rep. Knudsen will carry the bill.

EXECUTIVE ACTION ON HJ 31

01:51:30 **Motion:** Rep. Miller moved that **HJ 31 DO PASS.**

Discussion:

01:51:40 Rep. Barrett

01:52:27 **Vote:** Motion carried 11-8 by roll call vote with Rep. Barrett, Rep. Hoven, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. O'Neil, Rep. Phillips and Rep. Williams voting no. Rep. Phillips voted by proxy.

ADJOURNMENT

01:54:57 Adjournment: 12:25 p.m.

Lisa Adams, Secretary

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Additional Documents:

EXHIBIT([tah79aad.pdf](#))