

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Mark Blasdel, on March 9, 2011 at 8:30 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. Mike Phillips (D)
Rep. Lee Randall (R)
Rep. Wayne Stahl (R)
Rep. Kathleen Williams (D)
Rep. Max Yates (R)

Members Excused: None

Members Absent: 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: HB 472, 3/4/2011; HB 595, 3/4/2011

Executive Action: HB 397; HB 398

HEARING ON HB 595**Opening Statement by Sponsor:**

00:01:21 Rep. Wayne Stahl (R), HD 35, opened the hearing on HB 595, Provide 2-year reappraisal for class 4 and 1-year reappraisal for class 3 & 10.

00:02:11 Chairman Blasdel left.

00:04:23 Chairman Blasdel and Rep. Taylor arrived.

00:07:47 Chairman Blasdel

Proponents' Testimony:

00:08:01 Nancy Schlepp, Montana Taxpayers Association

Opponents' Testimony:

00:09:15 Patrick Heffernan, Montana Wood Products Association

00:10:25 Mark Baker, Attorney

00:11:42 Nicole Rolf, Montana Farm Bureau Federation

Informational Testimony:

00:12:45 Alan Peura, Deputy Director, Department of Revenue (DOR)

EXHIBIT(tah53a01)

00:29:51 Ronda Wiggers, Montana County Treasurers Association

Questions from Committee Members and Responses:

00:32:22 Rep. Barrett

00:33:58 Ms. Rolf

00:35:02 Rep. Barrett

00:35:19 Ms. Rolf

00:35:46 Rep. Hoven

Closing by Sponsor:

00:36:20 Rep. Stahl

00:37:22 Vice Chairman Miller left.

00:38:32 Rep. Barrett

00:39:06 Vice Chairman Miller arrived.

00:39:35 Rep. Phillips

00:40:01 Vice Chairman Miller and Rep. Taylor left.

00:40:30 Vice Chairman Miller and Rep. Taylor arrived.

HEARING ON HB 472**Opening Statement by Sponsor:**

00:41:36 Rep. Gordon Hendrick (R), HD 14, opened the hearing on HB 472, Conduct an interim study to generally revise tax laws.

00:43:11 Rep. Randall and Rep. Stahl left.

Proponents' Testimony:

00:44:04 Dick Wells, self

EXHIBIT(tah53a02)

00:47:31 Robert Pierson, self

00:48:45 Shantil Siaperas, Montana Association of Counties (MACo)

00:49:24 Art Hassan, self

EXHIBIT(tah53a03)

00:50:05 Rep. Hale left.

00:50:54 John Swenson, self

00:52:54 Donna McQueen, self

00:53:54 Lark Chadwick, self

EXHIBIT(tah53a04)

00:56:38 Gail Krauthoff, self

00:57:34 Mike Fellows, Chairman, Montana Libertarian Party

00:58:16 Rep. Hale arrived.

00:58:35 Tom Rich, self

01:00:55 Patrick Lagard, self

01:02:37 James Dawson, self

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

01:06:14 Rep. Barrett

01:07:06 Rep. Hendrick

01:08:14 Rep. Barrett

01:09:13 Mr. Wells

01:11:46 Rep. Phillips

01:12:16 Rep. Hendrick

01:13:10 Rep. Phillips

01:14:02 Mr. Wells

01:14:35 Rep. Phillips

01:15:02 Mr. Wells

01:15:50 Rep. Phillips

01:16:13 Mr. Wells

01:16:18 Rep. Malek

01:17:55 Rep. Hendrick

01:18:06 Rep. Randall arrived.

01:18:15 Rep. Flynn left.

01:19:41 Rep. Malek

01:20:32 Rep. Hendrick

01:21:03 Rep. Williams

01:21:34 Rep. Knudsen left.

01:22:09 Rep. Hendrick

01:22:55 Rep. Williams

01:22:59 Vice Chairman Miller

01:23:42 Rep. Hendrick

01:24:07 Rep. Phillips

01:24:37 Rep. Hendrick

01:24:56 Rep. Hale
01:25:13 Rep. Hendrick

Closing by Sponsor:

01:25:23 Rep. Hendrick

01:27:34 Rep. Flynn arrived.
01:27:53 Rep. Taylor left.
01:29:16 Rep. Taylor arrived.
01:29:30 Rep. Knudsen arrived.

01:30:45 Recess
01:44:24 Resume
01:44:24 All returned except Rep. Stahl and Rep. Flynn

EXECUTIVE ACTION ON HB 398

01:45:18 **Motion:** Rep. Miller moved that **HB 398 DO PASS.**

Discussion:

01:45:53 Rep. Malek
01:46:37 Mr. Martin

01:47:17 **Motion:** Rep. Miller moved that **HB 398 BE AMENDED.**
EXHIBIT(tah53a05)

Discussion:

01:48:14 Rep. Yates
01:48:52 Rep. Malek
01:49:15 Rep. Yates

01:49:59 **Vote:** Motion failed 6-11 by roll call vote with Rep. Barrett, Rep. Fitzpatrick, Rep. Knudsen, Rep. Malek, Rep. McNally and Rep. Williams voting aye, Rep. Flynn and Rep. Stahl did not vote.

Discussion:

01:51:47 Rep. Williams
01:52:29 Rep. O'Neil
01:52:59 Rep. Hale
01:53:13 Rep. Barrett
01:55:07 Rep. Knudsen

01:56:45 **Vote:** Motion failed 5-12 by roll call vote with Rep. Malek, Rep. McClafferty, Rep. Phillips, Rep. Williams and Rep. Yates voting aye, Rep. Flynn and Rep. Stahl did not vote.

01:58:01 **Motion/Vote:** Rep. Miller moved that **HB 398 BE TABLED AND THE VOTE REVERSED**. Motion carried 17-0 by voice vote.

EXECUTIVE ACTION ON HB 397

01:57:27 **Motion:** Rep. Miller moved that **HB 397 DO PASS**

Discussion:

01:57:51 Mr. Martin

01:58:44 Vice Chairman Miller

01:59:35 **Motion:** Rep. Miller moved that **HB 397 BE AMENDED**.

[EXHIBIT\(tah53a06\)](#)

[EXHIBIT\(tah53a07\)](#)

Discussion:

02:00:05 Vice Chairman Miller

02:02:07 Mr. Martin

02:04:37 **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. Flynn and Rep. Stahl voted by proxy.

02:04:53 **Motion:** Rep. Hoven moved that **HB 397 BE AMENDED**.

[EXHIBIT\(tah53a08\)](#)

Discussion:

02:06:27 Rep. Flynn arrived.

02:06:32 Rep. O'Neil

02:06:50 Chairman Blasdel

02:07:49 Mr. Martin

02:08:14 Rep. O'Neil

02:10:27 **Vote:** Motion carried 10-9 by roll call vote with Rep. Barrett, Rep. Knudsen, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. O'Neil, Rep. Phillips, Rep. Williams and Rep. Yates voting no. Rep. Stahl voted by proxy.

02:10:39 **Motion:** Rep. Miller moved that **HB 397 BE AMENDED**.

[EXHIBIT\(tah53a09\)](#)

Discussion:

02:12:22 Vice Chairman Miller

02:12:33 Mr. Martin

02:13:26 Rep. Barrett

02:13:45 Rep. Hoven

02:14:05 Vice Chairman Miller

02:14:27 Rep. Barrett

02:15:00 Rep. Williams

02:15:23 Mr. Martin

02:17:00 Rep. O'Neil

02:17:12 Mr. Martin

02:19:24 **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. Stahl voted by proxy.

02:20:05 **Motion:** Rep. Miller moved that **HB 397 BE AMENDED.**
EXHIBIT(tah53a10)

Discussion:

02:20:37 Rep. Knudsen

02:20:40 Rep. McClafferty

02:23:25 **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. Stahl voted by proxy.

02:23:38 Chairman Blasdel

02:24:09 Rep. Phillips

02:24:35 Chairman Blasdel

02:25:00 Rep. O'Neil

02:25:05 **Motion:** Rep. Blasdel moved that **HB 397 DO PASS AS AMENDED.**

Discussion:

02:25:07 Rep. Malek

02:27:50 Vice Chairman Miller

02:28:19 Rep. Malek

02:29:43 Vice Chairman Miller

02:30:03 Rep. Malek

02:30:59 Mr. Martin

02:31:26 Rep. Barrett

02:32:04 Rep. McNally

02:32:14 Mr. Martin

02:32:24 Rep. Phillips

02:32:50 Mr. Martin

EXHIBIT(tah53a11)

02:33:33 Rep. Malek

02:33:47 Mr. Martin

02:35:40 **Vote:** Motion carried 11-8 by roll call vote with Rep. Barrett, Rep. Fitzpatrick, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips, Rep. Williams and Rep. Yates voting no. Rep. Stahl voted by proxy.

02:36:23 Chairman Blasdel

Without objection Chairman ruled the committee report will be held until further notice.
Chairman did not sign the committee report.

ADJOURNMENT

02:37:03 Adjournment: 11:10 a.m.

Lisa Adams, Secretary

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Additional Documents:

EXHIBIT([tah53aad.pdf](#))