

## MINUTES

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

#### COMMITTEE ON TAXATION

**Call to Order:** Chair Mark Blasdel, on February 2, 2011 at 9:00 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. 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. Sue Malek (D)  
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:**

Hearing & Date Posted: HB 325, 1/31/2011

Executive Action: HB 143; HB 165; HB 192; HB 217; HB 219; HB 224; HB 247

**HEARING ON HB 325****Opening Statement by Sponsor:**

00:00:14 Rep. Keith Regier (R), HD 5, opened the hearing on HB 325, Eliminate class 8 business equipment property tax.

00:00:16 Rep. Phillips entered.

00:00:21 Rep. Malek entered.

**Proponents' Testimony:**

00:06:12 Jason Todhunter, Montana Logging Association

00:11:14 Cary Hegreberg, Executive Director, Montana Contractors' Association

00:13:38 Rep. Stahl left.

00:15:11 Pat Heffernan, Montana Wood Products Association

00:17:53 Aidan Myhre, Kalispell Chamber of Commerce

00:19:36 Nicole Rolf, Montana Farm Bureau Federation

00:21:25 Patrick Montalban, Northern Montana Oil and Gas Association

00:22:45 Rep. Stahl returned.

00:24:43 Daniel Cox, self

**Opponents' Testimony:**

00:26:40 Evan Barrett, Chief Business Officer, Governor's Office

00:33:16 Rep. Fitzpatrick left.

00:35:52 Diane Fladmo, Director of Research, Montana Education Association - Montana Federation of Teachers (MEA-MFT)

**Informational Testimony:**

00:37:28 Rocky Haralson, Regional Manager, Property Assessment Division, Department of Revenue (DOR)

00:38:03 Jim Standaert, Legislative Fiscal Division (LFD), Montana State Legislature

**EXHIBIT(tah26a01)**

00:38:10 Rep. Fitzpatrick returned.

**Questions from Committee Members and Responses:**

00:42:18 Rep. Phillips

00:42:47 Mr. Standaert, LFD

00:42:50 Rep. Phillips

00:42:56 Mr. Standaert

00:43:23 Rep. Hale

00:43:44 Mr. Standaert

00:43:51 Rep. Hale

00:43:56 Mr. Standaert

00:44:21 Rep. Malek

00:44:39 Ms. Rolf

00:44:43 Rep. Malek

00:45:03 Ms. Rolf

00:45:06 Rep. Malek

00:45:21 Ms. Rolf

00:46:04 Rep. Malek

00:46:21 Ms. Rolf  
00:47:26 Rep. Malek  
00:47:35 Ms. Rolf  
00:48:54 Rep. Taylor  
00:49:21 Mr. Standaert  
00:49:42 Rep. Taylor  
00:50:35 Mr. Standaert  
00:50:47 Rep. Flynn  
00:51:21 Mr. Standaert  
00:51:58 Rep. Flynn  
00:52:30 Mr. Standaert  
00:52:56 Rep. McNally  
00:53:23 Mr. Standaert  
00:53:30 Rep. McNally  
00:53:35 Mr. Standaert  
00:53:41 Rep. Barrett  
00:53:47 Mr. Haralson, DOR  
00:53:53 Rep. Barrett  
00:54:15 Mr. Haralson  
00:54:59 Rep. Barrett  
00:55:34 Mr. Haralson  
00:55:38 Vice Chairman Miller  
00:55:53 Mr. Standaert  
00:56:47 Rep. Flynn  
00:57:18 Mr. Standaert

**Closing by Sponsor:**

00:57:31 Rep. Regier

01:00:10 Chairman Blasdel

**EXECUTIVE ACTION ON HB 165**

01:16:48 Chairman Blasdel

01:16:59 Mr. Martin

01:17:21 **Motion:** Rep. Miller moved that **HB 165 DO PASS.**

01:17:24 **Motion:** Rep. Miller moved that **HB 165 BE AMENDED.**

**EXHIBIT**(tah26a02)

**Discussion:**

01:18:23 Rep. Stahl

01:18:33 Mr. Martin

01:18:38 Rep. Stahl

01:18:43 Mr. Martin

01:19:01 Rep. Stahl

01:19:32 Mr. Martin

01:21:00 Rep. Stahl

01:22:03 Rep. Taylor  
01:22:20 Mr. Standaert  
01:23:37 Rep. Barrett  
01:23:58 Rep. O'Neil  
01:24:13 Mr. Standaert  
01:24:43 Rep. Stahl  
01:25:17 Chairman Blasdel  
01:25:24 Vice Chair Miller

01:25:25 **Vote:** Motion to amend carried 14-5 by voice vote with Rep. Malek, Rep. McClafferty, Rep. O'Neil, Rep. Stahl and Rep. Yates voting no.

**Discussion:**

01:26:47 Rep. McClafferty  
01:26:56 Rep. Malek

01:27:00 **Motion/Vote:** Rep. Miller moved that **HB 165 DO PASS AS AMENDED**. 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.

**EXECUTIVE ACTION ON HB 143**

01:28:00 **Motion:** Rep. Stahl moved that **HB 143 DO PASS**.

**Discussion:**

01:29:02 Rep. Stahl  
01:29:46 Rep. Phillips  
01:30:37 Rep. Stahl

01:31:00 **Vote:** Motion carried 11-8 by roll call vote with Rep. Barrett, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips, Rep. Taylor, Rep. Williams and Rep. Yates voting no.

**EXECUTIVE ACTION ON HB 192**

01:32:00 **Motion:** Rep. O'Neil moved that **HB 192 DO PASS**.

01:33:00 **Motion:** Rep. O'Neil moved that **HB 192 BE AMENDED**.  
[EXHIBIT\(tah26a03\)](#)

**Discussion:**

01:34:27 Rep. O'Neil  
01:36:21 Rep. Barrett  
01:37:16 Vice Chairman Miller  
01:37:37 Mr. Martin

01:37:49 **Substitute Motion:** Rep. O'Neil made a substitute motion that **HB 192 BE CONCEPTUALLY AMENDED TO INCLUDE CORRECTION TO LINE 26 ON PAGE 2 TO CHANGE FROM \$50,000 TO \$35,000**.

**Discussion:**

01:38:41 Rep. Phillips  
01:38:57 Chairman Blasdel  
01:39:28 Rep. Phillips  
01:39:32 Chairman Blasdel

01:40:00 **Vote:** Substitute motion carried unanimously by voice vote.

01:40:30 **Vote:** Original motion to amend carried unanimously by voice vote.

01:41:01 **Motion/Vote:** Rep. Blasdel moved that **HB 192 BE TABLED UNTIL A NEW FISCAL NOTE IS RECEIVED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 217**

01:43:02 **Motion:** Rep. Miller moved that **HB 217 DO PASS**.

**Discussion:**

01:43:13 Vice Chairman Miller  
01:43:26 Rep. Williams

01:44:50 **Vote:** Motion failed 4-15 by voice vote with Rep. Hale, Rep. Miller, Rep. Taylor and Rep. Yates voting aye.

01:45:00 **Motion/Vote:** Rep. Miller moved that **HB 217 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 219**

01:46:24 **Motion:** Rep. Miller moved that **HB 219 DO PASS**.

01:47:11 **Motion/Vote:** Rep. Randall moved that **HB 219 BE AMENDED**. Motion carried unanimously by voice vote.

**EXHIBIT(tah26a04)****Discussion:**

01:47:24 Mr. Martin  
01:48:15 Vice Chairman Miller  
01:48:22 Mr. Martin  
01:48:53 Rep. Barrett  
01:50:54 Vice Chairman Miller  
01:51:12 Mr. Martin  
01:51:31 Rep. Malek  
01:53:00 Rep. Williams

01:53:40 **Motion/Vote:** Rep. Blasdel moved that **HB 219 DO PASS AS AMENDED**. Motion carried 12-7 by roll call vote with Rep. Barrett, Rep. Hoven, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips and Rep. Williams voting no.

**EXECUTIVE ACTION ON HB 224**

01:55:28 **Motion:** Rep. Flynn moved that **HB 224 DO PASS.**

**Discussion:**

01:55:53 Rep. Malek  
01:56:41 Vice Chairman Miller  
01:57:07 Rep. Stahl  
01:57:40 Rep. Barrett  
01:58:06 Vice Chairman Miller  
01:58:17 Rep. Hale  
01:58:45 Rep. Williams

01:59:00 **Vote:** Motion carried 10-9 by roll call vote with Rep. Blasdel, Rep. Flynn, Rep. Knudsen, Rep. Lavin, Rep. Miller, Rep. O'Neil, Rep. Randall, Rep. Taylor and Rep. Yates voting no.

**EXECUTIVE ACTION ON HB 247**

02:00:15 **Motion:** Rep. Miller moved that **HB 247 DO PASS.**

**Discussion:**

02:00:44 Vice Chairman Miller  
02:02:40 Rep. McNally  
02:03:24 Rep. Phillips  
02:03:52 Vice Chairman Miller

02:04:00 **Vote:** Motion failed 2-17 by roll call vote with Rep. Miller and Rep. Stahl voting aye.

02:04:30 **Motion/Vote:** Rep. Barrett moved that **HB 247 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

**ADJOURNMENT**

02:06:49      Adjournment: 11:08 am

---

Lisa Adams, Secretary

la

Additional Documents:

**EXHIBIT**([tah26aad.pdf](#))