

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Mark Blasdel, on February 11, 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. 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. Janna Taylor (R)
Rep. Kathleen Williams (D)
Rep. Max Yates (R)

Members Excused: None

Members Absent: Rep. Wayne Stahl (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 460, 2/8/2011

Executive Action: HB 222; HB 248; HB 293; HB 308; HB 333

HEARING ON HB 460**Opening Statement by Sponsor:**

00:00:04 Rep. Ken Peterson (R), HD 46, opened the hearing on HB 460, Revise unit ownership act to exclude townhouses.

Proponents' Testimony:

00:02:34 Tom Llewellyn, Realtor
00:03:43 Rep. Stahl arrived.
00:07:25 Linda Stoll, Missoula County
00:08:19 Joe Roberts, Montana Association of Realtors (MAR)
00:08:55 Dustin Stewart, Montana Building Industry Association (MBIA)
00:08:55 Rep. Knudsen left.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:10:24 Rep. O'Neil
00:10:43 Rep. Peterson
00:11:44 Rep. O'Neil
00:12:06 Rep. Peterson
00:12:17 Rep. O'Neil
00:12:29 Rep. Peterson
00:13:26 Rep. Flynn
00:13:40 Rep. Peterson
00:13:51 Rep. Flynn
00:14:00 Rep. Peterson
00:14:10 Vice Chairman Miller
00:14:53 Rep. Peterson
00:15:27 Rep. Knudsen arrived.
00:15:51 Rep. Phillips
00:16:02 Rep. Peterson
00:16:11 Rep. Williams
00:16:41 Mr. Llewellyn
00:16:49 Rep. Phillips left.

Closing by Sponsor:

00:17:48 Rep. Peterson

00:18:51 Rep. Phillips arrived.

EXECUTIVE ACTION ON HB 192

HB 192 previous executive action February 2, 2011.

00:19:19 **Motion/Vote:** Rep. O'Neil moved that **HB 192 BE RECONSIDERED AND REMOVED FROM TABLED**. Motion carried unanimously by voice vote.

00:20:15 **Motion:** Rep. O'Neil moved that **HB 192 DO PASS AS AMENDED**.

Discussion:

00:21:30 Rep. O'Neil
00:22:48 Rep. Hoven
00:22:53 Rep. O'Neil
00:23:00 Rep. Hoven
00:23:14 Rep. O'Neil
00:23:45 Rep. Barrett
00:24:00 Mr. Martin
00:25:25 Rep. Taylor
00:26:08 Rep. Barrett
00:26:57 Rep. Hoven
00:27:47 Rep. Stahl
00:27:58 Mr. Martin
00:28:19 Chairman Blasdel
00:28:25 Rep. Malek
00:28:43 Mr. Martin
00:29:12 Rep. Malek
00:29:15 Mr. Martin
00:30:01 Rep. McNally
00:30:17 Mr. Martin

00:30:33 **Vote:** Motion carried 11-8 by roll call vote with Rep. Barrett, Rep. Blasdel, Rep. Hoven, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips and Rep. Williams voting no.

00:31:58 Chairman Blasdel

EXECUTIVE ACTION ON HB 293

00:32:12 **Motion:** Rep. Miller moved that **HB 293 DO PASS**.

00:33:03 **Motion:** Rep. O'Neil moved that **HB 293 BE AMENDED**.
EXHIBIT(tah34a01)

Discussion:

00:33:30 Rep. O'Neil
00:34:14 Rep. Williams
00:34:26 Rep. O'Neil
00:34:50 Rep. Stahl
00:35:25 Rep. Fitzpatrick
00:35:55 Rep. O'Neil

00:36:27 Rep. Barrett
00:39:36 Rep. O'Neil
00:41:14 Rep. Barrett
00:42:50 Rep. Phillips
00:43:34 Mr. Martin
00:44:09 Rep. Williams
00:44:38 Mr. Martin
00:44:55 Rep. Williams
00:45:03 Rep. O'Neil
00:45:08 Rep. Barrett

00:45:48 **Vote:** Motion on amendment failed unanimously by voice vote.

00:46:09 **Vote:** Motion carried unanimously by voice vote.

00:46:20 Chairman Blasdel

EXECUTIVE ACTION ON HB 248

00:46:46 **Motion:** Rep. Miller moved that **HB 248 DO PASS.**

Discussion:

00:47:02 Vice Chairman Miller
00:47:43 Rep. Hoven
00:48:31 Vice Chairman Miller
00:48:46 Rep. Barrett
00:48:55 Rep. Phillips
00:49:29 Vice Chairman Miller
00:49:44 Rep. Stahl

00:52:58 **Vote:** 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 222

00:54:00 **Motion:** Rep. Barrett moved that **HB 222 DO PASS.**

00:54:09 **Motion:** Rep. Barrett moved that **HB 222 BE AMENDED.**

EXHIBIT(tah34a02)

Discussion on amendment:

00:59:10 Vice Chairman Miller
00:59:41 Rep. Barrett
01:00:12 Mr. Gene Walborn, Department of Revenue (DOR)
01:00:35 Rep. Stahl
01:01:00 Mr. Walborn
01:01:35 Rep. Stahl
01:01:48 Mr. Walborn
01:01:53 Rep. O'Neil

01:02:33 Mr. Walborn
01:02:49 Chairman Blasdel

01:03:25 **Vote:** Motion failed 8-11 by roll call vote with Rep. Barrett, Rep. Hoven, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. O'Neil, Rep. Phillips and Rep. Williams voting aye.

Discussion:

01:04:00 Rep. Malek
01:05:14 Vice Chairman Miller
01:05:36 Rep. O'Neil
01:06:43 Rep. Barrett
01:08:26 Rep. Phillips
01:08:55 Vice Chairman Miller
01:09:16 Rep. Barrett
01:10:28 Rep. Hoven
01:11:40 Rep. McNally
01:12:20 Vice Chairman Miller
01:12:35 Rep. Yates
01:13:30 Rep. Barrett
01:14:37 Rep. Yates
01:15:03 Rep. Barrett
01:15:27 Rep. Malek
01:17:37 Rep. Williams
01:18:44 Vice Chairman Miller

01:20:14 **Vote:** Motion failed 8-11 by roll call vote with Rep. Barrett, Rep. Fitzpatrick, Rep. Hoven, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips and Rep. Williams voting aye.

01:20:19 **Motion/Vote:** Rep. Blasdel moved that **HB 222 BE TABLED AND THE VOTE REVERSED**. Motion carried 18-1 by voice vote with Rep. Phillips voting no.

01:21:02 Rep. O'Neil

ADJOURNMENT

01:21:06 Adjournment: 10:26 am

Lisa Adams, Secretary

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Additional Exhibits:

[EXHIBIT\(tah34a03\)](#)

Additional Documents:

EXHIBIT([tah34aad.pdf](#))