

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Mark Blasdel, on March 22, 2011 at 8:00 AM, 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. 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. Lee Randall (R)
Rep. Janna Taylor (R)
Rep. Max Yates (R)

Members Excused: None

Members Absent: Rep. Kelly Flynn (R)
Rep. Mike Phillips (D)
Rep. Wayne Stahl (R)
Rep. Kathleen Williams (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 614, 3/17/2011; SB 261, 3/17/2011

Executive Action: HB 512, SB 172, SB 266, HB 157, HB 233

HEARING ON SB 261**Opening Statement by Sponsor:**

00:01:43 Sen. Jeff Essmann (R), SD 28, opened the hearing on SB 261, Constitutional referendum to require annual sessions and reduce days.

00:01:51 Rep. Flynn arrived.

00:01:56 Rep. Phillips arrived.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:09:05 Rep. Barrett
00:09:35 Rep. Williams arrived.
00:09:40 Sen. Essmann
00:10:39 Rep. Barrett
00:10:50 Sen. Essmann
00:10:58 Rep. Barrett
00:11:12 Rep. Phillips
00:11:22 Sen. Essmann
00:11:34 Rep. Phillips
00:11:53 Sen. Essmann
00:12:04 Rep. Phillips
00:12:57 Sen. Essmann
00:14:07 Rep. Phillips
00:15:19 Sen. Essmann
00:17:35 Rep. Taylor
00:18:38 Sen. Essmann
00:20:40 Rep. Williams
00:21:49 Sen. Essmann
00:21:50 Rep. Flynn left.
00:22:26 Rep. Hoven
00:22:51 Sen. Essmann
00:23:42 Rep. Barrett
00:25:05 Sen. Essmann
00:25:34 Rep. Barrett
00:25:46 Sen. Essmann
00:26:01 Rep. Randall left.
00:26:12 Rep. Phillips
00:27:13 Sen. Essmann
00:28:02 Rep. Phillips
00:28:42 Sen. Essmann

Closing by Sponsor:

00:29:00 Sen. Essmann

00:29:19 Rep. Randall arrived.
 00:29:24 Vice Chairman Miller left.
 00:30:04 Vice Chairman Miller arrived.

HEARING ON HB 614

Opening Statement by Sponsor:

00:31:15 Rep. Mike Miller (R), HD 84, opened the hearing on HB 614, Revise new construction energy credit provisions.

Proponents' Testimony:

00:32:32 William Kohnke, self

Opponents' Testimony: None

Informational Testimony:

00:37:43 Brian Olsen, Income Tax Specialist, Department of Revenue (DOR)

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:38:10 Rep. Miller
 00:40:20 Rep. Williams left.
 00:40:24 Recess for 5 minutes.
 00:46:43 Resumed with all present except Rep. Stahl, Rep. McClafferty, Rep. Williams

EXECUTIVE ACTION ON HB 512

00:47:23 **Motion:** Rep. O'Neil moved that **HB 512 DO PASS.**

Discussion:

00:47:50 Rep. Barrett
 00:48:15 Rep. McClafferty arrived.
 00:48:47 Rep. O'Neil
 00:49:29 Vice Chairman Miller
 00:49:44 Rep. Hoven
 00:50:14 Vice Chairman Miller
 00:50:40 Rep. O'Neil
 00:50:56 Rep. Phillips
 00:51:26 Chairman Blasdel

00:51:46 **Vote:** Motion failed 6-13 by roll call vote with Rep. Flynn, Rep. Hale, Rep. Knudsen, Rep. Miller, Rep. O'Neil and Rep. Taylor voting aye. Rep. Stahl and Rep. Williams voted by proxy.

00:53:04 **Motion/Vote:** Rep. Miller moved that **HB 512 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote by all present.

00:53:05 Rep. Taylor left.

EXECUTIVE ACTION ON SB 172

00:53:47 **Motion:** Rep. Miller moved that **SB 172 BE CONCURRED IN.**

00:53:56 **Motion:** Rep. Blasdel moved that **SB 172 BE AMENDED.**
EXHIBIT(tah64a01)

Discussion:

00:54:45 Mr. Martin

00:55:22 **Vote:** Motion carried 18-1 by voice vote with Rep. Hale voting no. Rep. Stahl, Rep. Taylor and Rep. Williams voted by proxy.

00:56:00 **Motion:** Rep. Di. Barrett moved that **SB 172 BE AMENDED.**
EXHIBIT(tah64a02)

Discussion:

00:58:12 Vice Chairman Miller

00:58:39 Rep. Hale

00:58:55 **Vote:** Motion carried 18-1 by voice vote with Rep. Hale voting no. Rep. Stahl, Rep. Taylor and Rep. Williams voted by proxy.

00:59:22 **Motion:** Rep. Miller moved that **SB 172 BE CONCURRED IN AS AMENDED.**

Discussion:

00:59:30 Rep. Phillips

01:00:09 Rep. McNally

01:00:23 Rep. Phillips

01:00:32 Chairman Blasdel

01:00:46 Rep. Knudsen

01:01:09 **Vote:** Motion carried 18-1 by voice vote with Rep. Hale voting no. Rep. Stahl, Rep. Taylor and Rep. Williams voted by proxy. Rep. Blasdel will carry the bill.

DISCUSSION ON SB 219

01:01:45 Mr. Martin

01:04:50 Rep. Hoven

01:05:34 Mr. Martin

01:05:39 Rep. Hoven

01:05:45 Mr. Martin

01:06:42 Rep. Barrett

01:07:52 Mr. Martin

01:08:19 Rep. Barrett

01:08:30 Rep. Yates

01:09:17 Chairman Blasdel

01:10:02 Rep. McNally

01:10:33 Mr. Martin

01:11:19 Chairman Blasdel

EXECUTIVE ACTION ON SB 266

01:11:32 **Motion:** Rep. Miller moved that **SB 266 BE CONCURRED IN.**

Discussion:

01:11:40 Rep. O'Neil
01:12:28 Rep. Flynn
01:12:45 Rep. Barrett
01:13:16 Rep. McNally
01:13:43 Rep. Malek

01:14:17 **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, Rep. Taylor and Rep. Williams voted by proxy. Rep. Berry will carry the bill.

EXECUTIVE ACTION ON HB 157

01:15:46 **Motion:** Rep. Miller moved that **SB 157 DO PASS.**

Discussion:

01:16:27 Rep. Barrett
01:19:01 Rep. Malek
01:19:23 Rep. Phillips

01:19:59 **Vote:** Motion carried 10-9 by roll call vote with Rep. Barrett, Rep. Hoven, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. O'Neil, Rep. Phillips, Rep. Williams and Rep. Yates voting no. Rep. Stahl, Rep. Taylor and Rep. Williams voted by proxy.

EXECUTIVE ACTION ON HB 223

01:21:40 **Motion:** Rep. Di. Barrett moved that **HB 223 DO PASS.**

01:22:04 **Motion/Vote:** Rep. Di. Barrett moved that **HB 223 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Stahl, Rep. Taylor and Rep. Williams voted by proxy.

EXHIBIT(tah64a03)

01:24:03 **Motion:** Rep. Di. Barrett moved that **HB 223 DO PASS AS AMENDED.**

Discussion:

01:29:05 Rep. Phillips
01:30:09 Rep. Randall
01:31:22 Rep. Barrett
01:32:27 Rep. Randall
01:33:01 Rep. Barrett
01:33:11 Vice Chairman Miller
01:33:24 Rep. Barrett
01:33:38 Mr. Martin
01:33:48 Rep. Barrett

01:34:34 Vice Chairman Miller
01:35:03 Rep. Barrett
01:35:19 Rep. Hoven
01:37:55 Rep. Barrett

01:39:20 **Vote:** Motion failed 8-11 by roll call vote with Rep. Barrett, Rep. Blasdel, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips, Rep. Taylor and Rep. Williams voting aye. Rep. Stahl, Rep. Taylor and Rep. Williams voted by proxy.

01:40:48 **Motion/Vote:** Rep. Miller moved that **HB 223 BE TABLED AND THE VOTE REVERSED**. Motion carried 16-0 by voice vote by those present.

01:41:02 Chairman Blasdel
01:42:14 Vice Chairman Miller
01:42:19 Chairman Blasdel
01:42:35 Mr. Martin
01:43:03 Rep. Barrett
01:43:54 Rep. Phillips
01:44:51 Chairman Blasdel
01:44:55 Rep. Phillips
01:45:01 Chairman Blasdel
01:45:23 Rep. Barrett
01:45:33 Chairman Blasdel

ADJOURNMENT

01:45:56 Adjournment: 9:45 a.m.

Lisa Adams, Secretary

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ADDITIONAL DOCUMENTS:
EXHIBIT(tah64a04)

Additional Documents:

EXHIBIT([tah64aad.pdf](#))