

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Mark Blasdel, on April 7, 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. Kelly Flynn (R)
Rep. Alan Hale (R)
Rep. Brian Hoven (R)
Rep. Austin Knudsen (R)
Rep. Steve Lavin (R)
Rep. Sue Malek (D)
Rep. Jerry O'Neil (R)
Rep. Mike Phillips (D)
Rep. Janna Taylor (R)
Rep. Kathleen Williams (D)

Members Excused: None

Members Absent: Rep. Edith (Edie) McClafferty (D)
Rep. Mary McNally (D)
Rep. Lee Randall (R)
Rep. Wayne Stahl (R)
Rep. Max Yates (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: SB 94, 4/1/11; SB 411, 4/1/11; SB 429, 4/1/11

Executive Action: SB 253

HEARING ON SB 411**Opening Statement by Sponsor:**

00:01:26 Sen. Ron Erickson (D), SD 47, opened the hearing on SB 411, Revise administration of tax interest, penalties and delinquencies.

00:01:34 Rep. Stahl arrived.

00:02:34 Rep. Stahl left.

00:02:42 Rep. Yates arrived.

00:03:03 Rep. Stahl arrived.

Proponents' Testimony:

00:04:40 Rep. Stahl left.

00:04:52 Dan Bucks, Director, Montana Department of Revenue (DOR)

00:05:12 Rep. McNally arrived.

00:05:18 Chairman Blasdel left.

00:08:56 Rep. Stahl arrived.

00:10:00 Gene Walborn, Business and Income Taxes Division, DOR

EXHIBIT(tah78a01)

00:13:40 Chairman Blasdel arrived.

00:18:28 George S. Olsen, Montana Society of Certified Public Accountants

EXHIBIT(tah78a02)

00:21:38 Rep. McClafferty arrived.

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

00:23:57 Rep. Barrett

00:24:35 Mr. Walborn, DOR

00:26:16 Rep. Barrett

00:26:37 Mr. Walborn

00:27:07 Sen. Erickson

00:27:34 Vice Chairman Miller

00:27:57 Rep. Hoven left.

00:28:10 Mr. Walborn

00:28:53 Vice Chairman Miller

00:29:00 Mr. Walborn

00:30:18 Vice Chairman Miller

00:30:34 Mr. Walborn

Closing by Sponsor:

00:30:58 Sen. Erickson

00:32:14 Rep. Hoven arrived.

00:32:20 Rep. Malek left.

HEARING ON SB 94**Opening Statement by Sponsor:**

00:32:37 Sen. Ron Erickson (D), SD 47, opened the hearing on SB 94, Revise waters edge provisions of corporation taxes.

EXHIBIT(tah78a03)

Proponents' Testimony:

00:40:21 Dan Bucks, Director, Montana Department of Revenue (DOR)

EXHIBIT(tah78a04)

00:40:58 Rep. Knudsen left.

00:43:49 Rep. Stahl left.

Opponents' Testimony:

00:45:05 Nancy Schlepp, Montana Taxpayers' Association

EXHIBIT(tah78a05)

00:47:13 Rep. Knudsen arrived.

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

00:50:07 Rep. Barrett
00:51:34 Dir. Bucks, DOR
00:52:19 Chairman Blasdel left.
00:52:52 Rep. Barrett
00:53:24 Dir. Bucks
00:55:24 Rep. Barrett
00:55:47 Chairman Blasdel arrived.
00:56:03 Rep. Stahl arrived.
00:56:29 Dir. Bucks
00:56:33 Rep. Hale left.
00:57:03 Rep. Lavin left.
00:58:21 Rep. Fitzpatrick
00:58:41 Dir. Bucks
01:00:36 Rep. Hale arrived.
01:02:12 Rep. Fitzpatrick
01:02:32 Dir. Bucks
01:02:55 Sen. Erickson
01:03:53 Rep. Fitzpatrick left.
01:04:00 Vice Chairman Miller
01:04:06 Rep. McClafferty left.
01:04:23 Dir. Bucks
01:04:46 Rep. Hoven left.
01:06:25 Vice Chairman Miller
01:06:36 Dir. Bucks
01:09:34 Vice Chairman Miller
01:09:58 Dir. Bucks
01:11:34 Rep. Phillips
01:13:08 Dir. Bucks
01:13:17 Vice Chairman Miller left.

01:13:29 Rep. Phillips
01:14:03 Dir. Bucks
01:14:15 Rep. Malek arrived.
01:14:47 Vice Chairman Miller
01:15:33 Rep. Phillips
01:15:40 Dir. Bucks
01:16:56 Rep. Williams
01:17:26 Rep. Phillips left.
01:17:34 Sen. Erickson
01:18:28 Rep. Williams
01:18:35 Sen. Erickson
01:19:05 Rep. Williams
01:19:10 Sen. Erickson
01:19:15 Rep. Williams
01:19:43 Rep. Hale left.
01:19:50 Dir. Bucks
01:22:01 Rep. Williams
01:22:56 Rep. Hale arrived.
01:24:08 Rep. Hoven arrived.
01:24:11 Rep. Williams
01:24:27 Rep. Phillips arrived.
01:24:57 Dir. Bucks
01:25:22 Rep. Barrett
01:25:56 Dir. Bucks
01:26:09 Rep. Barrett
01:26:48 Dir. Bucks
01:27:20 Rep. Flynn
01:27:47 Rep. Barrett left.
01:27:56 Dir. Bucks
01:28:21 Rep. Flynn
01:28:37 Dir. Bucks
01:30:01 Rep. Barrett arrived.

Closing by Sponsor:

01:31:35 Sen. Erickson

01:32:26 Rep. Flynn left.
01:33:11 Rep. Lavin arrived.
01:36:24 Rep. Phillips left.

HEARING ON SB 429**Opening Statement by Sponsor:**

01:36:55 Sen. Art Wittich (R), SD 35, opened the hearing on SB 429, Revised uniform limited liability company act.

01:39:05 Rep. Knudsen left.
01:39:10 Vice Chairman Miller left.
01:39:17 Rep. Fitzpatrick arrived.

01:39:29 Rep. McClafferty arrived.
01:39:35 Vice Chairman Miller arrived.

Proponents' Testimony:

01:41:09 John Bennett, Attorney, Missoula
01:42:00 Rep. Phillips arrived.
01:42:51 Stuart Doggett, Montana Manufactured Housing and RV Association

Opponents' Testimony:

01:43:23 Gene Walborn, DOR
01:43:34 Rep. Randall arrived.
01:44:54 Vice Chairman Miller left.
01:45:07 Rep. Flynn arrived.
01:47:36 Rep. Knudsen arrived.
01:53:02 Rep. Stahl left.
01:53:39 Vice Chairman Miller arrived.

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

01:53:48 Rep. Williams
01:54:47 Sen. Wittich
01:55:39 Rep. Knudsen left.

Closing by Sponsor:

01:57:07 Sen. Wittich

01:58:38 Rep. McNally left.

EXECUTIVE ACTION ON SB 253

01:59:41 **Motion:** Rep. Miller moved that **SB 253 BE CONCURRED IN.**

02:00:17 Rep. Knudsen and Rep. Stahl arrived.

02:00:44 **Motion:** Rep. Fitzpatrick moved that **SB 253 BE AMENDED.**

EXHIBIT(tah78a06)

Discussion:

02:01:33 Vice Chairman Miller
02:01:47 Rep. O'Neil

02:02:20 **Vote:** Motion carried 16-2 by voice vote with Rep. O'Neil and Rep. Stahl voting no, present and voting.

02:02:37 **Motion:** Rep. Miller moved that **SB 253 BE CONCURRED IN AS AMENDED.**

02:03:25 **Motion:** Rep. Yates moved that **SB 253 BE AMENDED.**

EXHIBIT(tah78a07)

Discussion:

02:04:26 Rep. O'Neil

02:04:41 Rep. Yates

02:05:31 **Vote:** Motion carried 15-4 by voice vote with Rep. Fitzpatrick, Rep. O'Neil, Rep. Stahl and Rep. Taylor voting no, present and voting.

02:05:52 **Motion:** Rep. Miller moved that **SB 253 BE CONCURRED IN AS AMENDED.**

02:06:29 **Motion:** Rep. Flynn moved that **SB 253 BE AMENDED.**

EXHIBIT(tah78a08)

Discussion:

02:07:59 Vice Chairman Miller

02:08:22 **Vote:** Motion carried 14-5 by voice vote with Rep. Knudsen, Rep. Lavin, Rep. O'Neil, Rep. Stahl and Rep. Taylor voting no, present and voting.

02:08:43 **Motion:** Rep. Miller moved that **SB 253 BE CONCURRED IN AS AMENDED.**

Discussion:

02:08:54 Rep. Barrett

02:11:11 Rep. Hoven

02:12:45 Rep. Malek

02:14:32 Rep. Phillips

02:16:14 Rep. McNally

02:17:39 Vice Chairman Miller

02:18:29 Rep. Hoven

02:20:02 Rep. Phillips

02:20:54 Chairman Blasdel

02:21:25 **Vote:** Motion carried 11-8 by roll call vote with Rep. Barrett, Rep. Hoven, Rep. McClafferty, Rep. McNally, Rep. Phillips, Rep. Taylor, Rep. Williams and Rep. Yates voting no. Rep. Blasdel will carry the bill.

ADJOURNMENT

02:22:59 Adjournment: 10:24

Lisa Adams, Secretary

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Additional Documents:

EXHIBIT([tah78aad.pdf](#))