

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON TAXATION

**Call to Order:** Chair Alan Redfield, on April 12, 2019 at 10:00 A.M., in Room 152 Capitol

#### ROLL CALL

**Members Present:**

Rep. Alan Redfield, Chair (R)  
Rep. Becky Beard, Vice Chair (R)  
Rep. Zach Brown, Vice Chair (D)  
Rep. Kim Abbott (D)  
Rep. Mary Ann Dunwell (D)  
Rep. Dave Fern (D)  
Rep. John Fuller (R)  
Rep. Joshua Kassmier (R)  
Rep. Emma Kerr-Carpenter (D)  
Rep. Rhonda Knudsen (R)  
Rep. Marilyn Marler (D)  
Rep. Lola Sheldon-Galloway (R)  
Rep. Tom Welch (R)  
Rep. Kerry White (R)  
Rep. Daniel Zolnikov (R)

**Members Excused:** Rep. Wylie Galt (R)  
Rep. Greg Hertz (R)  
Rep. Bridget Smith (D)

**Members Absent:** None

**Staff Present:** Chris Bushnell, Committee Secretary  
Megan Moore, 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:**

Executive Action: SB 204; SB 265; SB 346; SB 338

**Committee Business:**

10:00:59 Chair Redfield  
10:01:53 Megan Moore, Legislative Services Division (LSD)  
10:03:15 Sen. Jacobson  
10:03:25 Megan Moore, LSD  
10:03:48 Sen. Jacobson  
10:04:04 Megan Moore, LSD  
10:04:22 Sen. Jacobson  
10:04:32 Megan Moore, LSD  
10:04:56 Sen. Jacobson  
10:05:38 Chair Redfield  
10:05:43 Sen. Jacobson  
10:05:51 Chair Redfield  
10:05:56 Rep. Dunwell  
10:06:37 Erica Johnston, Montana Department of Health and Human Services (DPHHS)  
10:06:43 Chair Redfield  
10:06:54 Erica Johnston, DPHHS  
  
10:07:12 Rep. Smith entered the meeting.  
  
10:07:21 Vice Chair Beard  
10:07:34 Erica Johnston, DPHHS  
10:07:42 Rep. White  
10:08:55 Rep. Dunwell  
10:10:16 Rep. Smith  
10:11:01 Rep. White  
10:12:26 Rep. Smith  
10:13:31 Sen. Jacobson  
10:15:09 Vice Chair Z. Brown  
10:15:33 Rep. Fern  
10:16:10 Sen. Jacobson  
10:16:47 Megan Moore, LSD  
10:17:00 Sen. Jacobson  
10:19:39 Megan Moore, LSD  
10:20:17 Sen. Jacobson  
10:20:48 Megan Moore, LSD  
10:21:04 Sen. Jacobson  
10:21:48 Rep. White  
10:22:08 Megan Moore, LSD  
10:22:20 Sen. Jacobson  
10:22:27 Megan Moore, LSD  
10:22:35 Sen. Jacobson  
10:23:21 Megan Moore, LSD  
10:23:43 Sen. Jacobson  
  
10:24:26 Recessed  
11:00:34 Reconvened

**EXECUTIVE ACTION ON SB 204**

11:00:38 **Motion:** Rep. Beard moved that **SB 204 BE CONCURRED IN.**

11:00:45 **Motion:** Rep. Beard moved that **SB 204 BE AMENDED.**  
**EXHIBIT**(tah77a01)

11:01:01 Chair Redfield  
11:01:04 Megan Moore, LSD

11:01:12 Without objection, Rep. Beard withdrew the **BE AMENDED** motion.

11:01:21 **Motion/Vote:** Rep. Beard moved that **SB 204 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Galt and Rep. Hertz voted by proxy.

**EXHIBIT**(tah77a02)

11:01:51 **Motion:** Rep. Beard moved that **SB 204 BE CONCURRED IN AS AMENDED.**

**Discussion:**

11:02:02 Rep. Kerr-Carpenter

11:02:11 **Vote:** Motion carried unanimously by voice vote. Rep. Galt and Rep. Hertz voted by proxy. Rep. Kerr-Carpenter will carry the bill.

**EXECUTIVE ACTION ON SB 346**

11:02:33 **Motion:** Rep. Beard moved that **SB 346 BE CONCURRED IN AS PREVIOUSLY AMENDED FOUR TIMES ON APRIL 13, 2019.**

11:02:50 **Motion/Vote:** Rep. Beard moved that **SB 346 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Galt and Rep. Hertz voted by proxy.

**EXHIBIT**(tah77a03)

11:03:23 **Motion:** Rep. Beard moved that **SB 346 BE CONCURRED IN AS AMENDED FIVE TIMES.**

**Discussion:**

11:03:34 Rep. White  
11:03:58 Rep. Sheldon-Galloway  
11:04:11 Chair Redfield  
11:04:13 Megan Moore, LSD  
11:04:20 Rep. Sheldon-Galloway  
11:04:27 Megan Moore, LSD

11:04:48 **Vote:** Motion carried unanimously by voice vote. Rep. Galt and Rep. Hertz voted by proxy. Rep. White will carry the bill.

**EXECUTIVE ACTION ON SB 338**

11:05:03 **Motion/Vote:** Rep. Abbott moved that **SB 338 BE REMOVED FROM TABLE**. Motion carried 11-7 by roll call vote with Rep. Beard, Rep. Fuller, Rep. Kassmier, Rep. R. Knudsen, Rep. Redfield, Rep. Sheldon-Galloway and Rep. White voting no. Rep. Galt and Rep. Hertz were excused.

11:06:52 **Motion:** Rep. White moved that **SB 338 BE TABLED**.

**Discussion:**

11:07:27 Rep. Marler

11:07:50 **Vote:** Motion failed 9-9 by roll call vote with Rep. Beard, Rep. Fuller, Rep. Galt, Rep. Hertz, Rep. Kassmier, Rep. R. Knudsen, Rep. Redfield, Rep. Sheldon-Galloway and Rep. White voting aye. Rep. Galt and Rep. Hertz voted by proxy.

11: 10:00 Rep. Kassmier left the meeting.

11:09:43 **Motion:** Rep. Marler moved that **SB 338 BE CONCURRED IN**.

**Discussion:**

11:10:07 Rep. Abbott

11:10:27 **Vote:** Motion failed 9-9 by roll call vote with Rep. Abbott, Rep. Z. Brown, Rep. Dunwell, Rep. Fern, Rep. Kerr-Carpenter, Rep. Marler, Rep. B. Smith, Rep. Welch and Rep. Zolnikov voting aye. Rep. Galt, Rep. Hertz and Rep. Kassmier voted by proxy.

11:11:36 **Motion/Vote:** Rep. White moved that **SB 338 BE TABLED**. Motion failed 9-9 by roll call vote with Rep. Beard, Rep. Fuller, Rep. Galt, Rep. Hertz, Rep. Kassmier, Rep. R. Knudsen, Rep. Redfield, Rep. Sheldon-Galloway and Rep. White voting aye. Rep. Galt, Rep. Hertz and Rep. Kassmier voted by proxy.

**EXECUTIVE ACTION ON HB 265**

11:13:08 **Motion:** Rep. Beard moved that **SB 265 BE CONCURRED IN**.

**Discussion:**

11:13:15 Chair Redfield

11:13:19 Sen. Jacobson

11:14:01 **Motion:** Rep. Beard moved that **SB 265 BE AMENDED**.

**[EXHIBIT\(tah77a04\)](#)**

**Discussion:**

11:14:21 Megan Moore, LSD

11:14:55 Rep. Fern

11:15:13 Megan Moore, LSD

11:15:49 **Vote:** Motion carried unanimously by voice vote. Rep. Galt, Rep. Hertz and Rep. Kassmier voted by proxy.

11:16:06 **Motion:** Rep. Beard moved that **SB 265 BE CONCURRED IN AS AMENDED.**

11:16:16 **Motion/Vote:** Rep. Beard moved that **SB 265 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Galt, Rep. Hertz and Rep. Kassmier voted by proxy.

[EXHIBIT\(tah77a05\)](#)

11:16:41 **Motion:** Rep. Beard moved that **SB 265 BE CONCURRED IN AS AMENDED TWO TIMES.**

11:16:51 **Motion:** Rep. Beard moved that **SB 265 BE AMENDED.**

[EXHIBIT\(tah77a06\)](#)

**Discussion:**

11:17:04 Rep. Z. Brown

11:17:45 **Vote:** Motion carried unanimously by voice vote. Rep. Galt, Rep. Hertz and Rep. Kassmier voted by proxy.

11:17:58 **Motion:** Rep. Beard moved that **SB 265 BE CONCURRED IN AS AMENDED THREE TIMES.**

11:18:10 **Motion:** Rep. Beard moved that **SB 265 BE AMENDED.**

[EXHIBIT\(tah77a07\)](#)

**Discussion:**

11:18:17 Rep. Dunwell

11:19:15 Rep. White

11:20:18 Rep Smith

11:21:08 Rep. Z. Brown

11:21:20 Rep. White

11:22:17 Rep. Z. Brown

11:22:31 Megan Moore, LSD

11:22:46 Sue O'Connell, Legislative Services Division (LSD)

11:23:13 Chair Redfield

11:23:18 Rep. Z. Brown

11:23:30 Megan Moore, LSD

11:23:37 **Substitute Motion:** Rep. Z. Brown made a **SUBSTITUTE MOTION TO CONCEPTUALLY AMEND SB 265 BY STRIKING "OR A TWO-WAY AUDIO-VISUAL INTERACTION" FROM NUMBER FIFTEEN ON AMENDMENT SB026518.ASO.**

**Discussion:**

11:23:57 Chair Redfield

11:24:00 Rep. Welch

- 11:24:05 Rep. Sheldon-Galloway  
11:24:41 Rep. Z. Brown  
11:24:48 Megan Moore, LSD  
11:24:54 Rep. Sheldon-Galloway  
11:25:14 Chair Redfield  
11:25:29 Erica Johnston, Montana Department of Health and Human Services (DPHHS)  
11:26:11 Rep. White  
11:27:05 Megan Moore, LSD
- 11:27:08 **Vote:** Motion carried unanimously by voice vote. Rep. Galt, Rep. Hertz and Rep. Kassmier voted by proxy.
- 11:27:25 **Motion:** Rep. Beard moved that **SB 265 BE CONCURRED IN AS AMENDED FOUR TIMES.**
- 11:27:37 **Motion:** Rep. Beard moved that **SB 265 BE AMENDED.**  
[EXHIBIT\(tah77a08\)](#)
- Discussion:**  
11:27:49 Chair Redfield
- 11:28:04 **Substitute Motion:** Rep. Fern made **A SUBSTITUTE MOTION TO CONCEPTUALLY AMEND SB 265 SO THAT AMENDMENT SB026501.AMM BE CHANGED SO THAT THE NEW TAX RATE OF 4% WILL HAVE A SUNSET OF TWO YEARS AT WHICH TIME THE RATE WILL REVERT TO 2%.**
- Discussion:**  
11:28:22 Megan Moore, LSD  
11:28:44 Rep. Welch  
11:28:55 Rep Marler  
11:29:19 Vice Chair Beard  
11:29:27 Rep. Fern
- 11:29:43 **Vote:** Motion carried 17-1 by voice vote with Rep. Zolnikov voting no. Rep. Galt, Rep. Hertz and Rep. Kassmier voted by proxy.
- 11:30:08 **Motion:** Rep. Beard moved that **SB 265 BE CONCURRED IN AS AMENDED.**
- 11:30:18 **Motion:** Rep. Beard moved that **SB 265 BE AMENDED.**  
[EXHIBIT\(tah77a09\)](#)
- Discussion:**  
11:30:27 Rep. Kerr-Carpenter
- 11:30:46 **Vote:** Motion carried unanimously by voice vote. Rep. Galt, Rep. Hertz and Rep. Kassmier voted by proxy.
- 11:30:59 **Motion:** Rep. Beard moved that **SB 265 BE CONCURRED IN AS AMENDED SIX TIMES.**

11:31:16 **Motion:** Rep. Kerr-Carpenter moved that **SB 265 BE AMENDED.**  
[EXHIBIT\(tah77a10\)](#)

**Discussion:**

11:31:31 Rep. Kerr-Carpenter

11:31:48 **Vote:** Motion carried unanimously by voice vote. Rep. Galt, Rep. Hertz and Rep. Kassmier voted by proxy.

11:32:00 **Motion:** Rep. Beard moved that **SB 265 BE CONCURRED IN AS AMENDED SEVEN TIMES.**

11:32:40 **Motion:** Rep. Marler moved that **SB 265 BE AMENDED.**  
[EXHIBIT\(tah77a11\)](#)

**Discussion:**

11:33:06 Rep. Marler

11:34:32 Rep. White

11:36:13 Rep. Marler

11:36:48 **Vote:** Motion failed 6-12 by roll call vote with Rep. Dunwell, Rep. Fern, Rep. Kerr-Carpenter, Rep. Marler, Rep. Sheldon-Galloway and Rep. Zolnikov voting aye. Rep. Galt, Rep. Hertz and Rep. Kassmier voted by proxy.

11:38:27 **Motion:** Rep. Beard moved that **SB 265 BE AMENDED.**  
[EXHIBIT\(tah77a12\)](#)

**Discussion:**

11:38:51 Chair Redfield

11:39:21 Rep. Dunwell

11:39:40 Sen. Jacobson

11:39:50 **Vote:** Motion carried 17-1 by voice vote with Rep. Dunwell voting no. Rep. Galt, Rep. Hertz and Rep. Kassmier voted by proxy.

11:40:10 **Motion:** Rep. Beard moved that **HR 265 BE CONCURRED IN AS AMENDED EIGHT TIMES.**

11:40:20 **Motion:** Rep. Beard moved that **HR 265 BE AMENDED.**  
[EXHIBIT\(tah77a13\)](#)

**Discussion:**

11:40:30 Megan Moore, LSD

11:40:46 Chair Redfield

11:40:57 **Vote:** Motion carried 17-1 by voice vote with Rep. B. Smith voting no. Rep. Galt, Rep. Hertz and Rep. Kassmier voted by proxy.

11:41:21 **Motion:** Rep. Beard moved that **SB 265 BE CONCURRED IN AS AMENDED NINE TIMES.**

**Discussion:**

11:41:35 Rep. Zolnikov  
11:41:51 Rep. Dunwell  
11:42:07 Rep. Z. Brown  
11:42:39 Rep. Fuller  
11:43:26 Vice Chair Beard  
11:43:52 Rep. Zolnikov

11:44:22 **Vote:** Motion carried 17-1 by voice vote with Rep. Galt voting no. Rep. Galt, Rep. Hertz and Rep. Kassmier voted by proxy. Rep. Brown will carry the bill.

**ADJOURNMENT**

Adjournment: 11:45:17

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Chris Bushnell, Secretary

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Additional Documents:

**EXHIBIT**([tah77aad.pdf](#))