

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON TAXATION

**Call to Order:** Chair Roger Webb, on February 13, 2019 at 8:00 AM, in Room 405  
Capitol

#### ROLL CALL

**Members Present:**

Sen. Roger Webb, Chair (R)  
Sen. Dick Barrett, Vice Chair (D)  
Sen. Brian Hoven, Vice Chair (R)  
Sen. Mark Blasdel (R)  
Sen. Jill Cohenour (D)  
Sen. Bruce Gillespie (R)  
Sen. Edith (Edie) McClafferty (D)  
Sen. Mike Phillips (D)  
Sen. JP Pomnichowski (D)  
Sen. Tom Richmond (R)  
Sen. Russel (Russ) Tempel (R)

**Members Excused:** Sen. Fred Thomas (R)

**Members Absent:** None

**Staff Present:** Jaret Coles, Legislative Branch  
Charlene Devine, Committee Secretary

**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 207, 2/6/2019, SB 208, 2/6/2019; SB 217, 2/6/2019  
Executive Action: HB 200, Be Concurred In; HB 201, Be Concurred In As Amended;  
SB 178, Be Tabled; HB 213, Motion withdrawn, remains in committee.

08:00:38 Chair Webb

**HEARING ON SB 217**

**Opening Statement by Sponsor:**

08:01:41 Sen. David Howard (R), SD 29, opened the hearing on SB 217, Revise taxation of security income.

**[EXHIBIT\(tas30a01\)](#)**

**Proponents' Testimony:**

08:07:56 Bob Story, Montana Taxpayers Association

**Opponents' Testimony:**

08:09:05 Gene Walborn, Department of Revenue (DOR)

08:11:27 Rose Bender, Montana Budget and Policy Center

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

08:12:11 Sen. Barrett

08:12:50 David Merrien, Department of Revenue (DOR)

08:14:21 Sen. Barrett

08:14:30 Sen. Phillips

08:14:55 Mr. Merrien, DOR

08:15:04 Sen. Phillips

08:15:42 Sen. Howard

08:17:08 Chair Webb

08:17:28 Mr. Welborn, DOR

08:17:34 Chair Webb

08:17:49 Mr. Welborn

08:18:04 Sen. Barrett

08:18:59 Mr. Welborn

08:19:40 Sen. Gillespie

08:20:04 Mr. Welborn

08:20:51 Sen. Barrett

08:21:19 Mr. Welborn

08:21:43 Stephanie Morrison, lead revenue analyst, Legislative Fiscal Division

08:22:38 Sen. Blasdel entered the hearing.

08:24:56 Sen. Barrett

08:25:22 Sen. Howard

08:28:32 Sen. Hoven

08:28:38 Sen. Howard

08:28:51 Sen. Phillips

08:29:28 Sen. Howard

**Closing by Sponsor:**

08:29:40 Sen. Howard

08:33:42 Chair Webb

**HEARING ON SB 207****Opening Statement by Sponsor:**

08:34:07 Sen. Tom Jacobson (D), SD 11, opened the hearing on SB 207, Provide taxpayer election to contribute to ABLE and education savings accounts.

08:34:47 Sen. McClafferty left the hearing.

**Proponents' Testimony:**

08:37:09 Novelene Martin, Department of Public Health and Human Services (DPHHS)

08:37:36 Beth Brenneman, Disability Rights Montana

08:38:02 Gina Lytle, self

**Opponents' Testimony:** None**Informational Testimony:**

08:40:09 David Merrien, Department of Revenue (DOR)

**Questions from Committee Members and Responses:**

08:40:27 Sen. Barrett

08:40:57 Sen. Jacobson

08:41:39 Mr. Merrien, DOR

08:42:26 Sen. Phillips

08:44:56 Sen. Jacobson

08:45:04 Sen. Phillips

08:45:26 Jaret Coles, Legislative Services Division

08:46:29 Sen. Phillips

08:46:47 Sen. Tempel

08:48:54 Sen. Blasdel left the hearing.

08:49:29 Mr. Merrien

08:50:19 Sen. Richmond

08:51:14 Mr. Walborn

08:53:05 Sen. Gillespie

08:53:55 Ms. Martin, DPHHS

08:54:44 Ms. Lytle, self

08:55:26 Chair Webb

08:55:55 Mr. Merrien

08:56:01 Sen. Hoven left the hearing.

08:57:05 Ms. Martin

**Closing by Sponsor:**

08:57:51 Sen. Jacobson

08:58:24 Chair Webb

**HEARING ON SB 208****Opening Statement by Sponsor:**

08:58:39 Sen. Tom Jacobson (D), SD 11, opened the hearing on SB 208, Provide tax credit for student loan payments.

[EXHIBIT\(tas30a02\)](#)

**Proponents' Testimony:**

09:08:11 Julian Adler, Montana Public Interest Research Group (MontPIRG)

**Opponents' Testimony:**

09:12:49 Gene Walborn, Department of Revenue

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

09:13:34 Sen. Barrett  
09:15:48 Sen. Jacobson  
09:18:01 Sen. Phillips  
09:22:10 Sen. Jacobson  
09:22:27 Chair Webb  
09:23:18 Sen. Jacobson  
09:24:06 Sen. Gillespie  
09:25:47 Mr. Alder, MontPIRG

**Closing by Sponsor:**

09:29:44 Sen. Jacobson

[EXHIBIT\(tas30a03\)](#)

[EXHIBIT\(tas30a04\)](#)

09:31:10 Chair Webb

**EXECUTIVE ACTION ON HB 200**

09:32:10 **Motion:** Sen. Barrett moved that **HB 200 BE CONCURRED IN.**

**Discussion:**

09:32:24 Sen. Barrett

09:33:06 **Vote:** Motion carried 8-0 by voice vote. Sen. Blasdel, Sen. Hoven, Sen. McClafferty and Sen. Thomas were excused. Sen. Cohenour will carry the bill.

**EXECUTIVE ACTION ON SB 178**

09:33:37 **Motion:** Sen. Barrett moved that **SB 178 DO PASS.**

09:34:32 **Motion:** Sen. Tempel moved that **SB 178 BE AMENDED.**

[EXHIBIT\(tas30a05\)](#)

**Discussion:**

- 09:34:50 Jaret Coles, Legislative Services Division (LSD)  
09:35:17 Sen. Tempel
- 09:35:50 **Vote:** Motion carried 8-0 by voice vote. Sen. Blasdel, Sen. Hoven, Sen. McClafferty and Sen. Thomas were excused.
- 09:36:06 Sen. Barrett  
09:36:28 Sen. Phillips  
09:36:38 Mr. Coles, LSD
- 09:36:45 **Motion:** Sen. Phillips moved that **SB 178 DO PASS AS AMENDED.**

**Discussion:**

- 09:37:02 Sen. Tempel  
09:38:20 Sen. Phillips  
09:39:10 Sen. Cohenour  
09:39:56 Sen. Tempel
- 09:41:02 **Vote:** Motion failed 6-6 by roll call vote with Sen. Cohenour, Sen. Hoven, Sen. McClafferty, Sen. Phillips, Sen. Pomnichowski and Sen. Richmond voting aye. Sen. Blasdel, Sen. Hoven, Sen. McClafferty and Sen. Thomas voted by proxy.
- 09:42:27 **Motion/Vote:** Sen. Phillips moved that **SB 178 BE TABLED.** Motion carried 7-1 by voice vote with Sen. Cohenour voting no. Sen. Blasdel, Sen. Hoven, Sen. McClafferty and Sen. Thomas were excused.

**EXECUTIVE ACTION ON HB 213**

- 09:42:46 **Motion:** Sen. Barrett moved that **HB 213 BE CONCURRED IN.**

**Discussion:**

- 09:43:04 Sen. Barrett  
09:45:05 Sen. Richmond  
09:46:45 Sen. Phillips  
09:47:10 Sen. Pomnichowski  
09:47:44 Sen. Richmond  
09:48:04 Sen. Pomnichowski  
09:48:17 Sen. Barrett  
09:49:05 Jaret Coles, Legislative Services Division  
09:49:10 Sen. Hoven entered the hearing.
- 09:49:40 Without objection, Sen Barrett withdrew his motion that **HB 213 BE CONCURRED IN.**

**EXECUTIVE ACTION ON HB 201**

09:50:12     **Motion:** Sen. Barrett moved that **HB 201 BE CONCURRED IN.**

09:50:38     **Motion:** Sen. Barrett moved that **HB 201 BE AMENDED.**  
**EXHIBIT(tas30a06)**

**Discussion:**

09:51:06     Sen. Barrett

09:53:35     **Vote:** Motion carried 9-0 by voice vote. Sen. Blasdel, Sen. McClafferty and Sen. Thomas were excused.

09:53:44     **Motion:** Sen. Barrett moved that **HB 201 BE CONCURRED IN AS AMENDED.**

**Discussion:**

09:53:57     Sen. Tempel

09:54:27     Sen. Barrett

09:54:34     Sen. Tempel

09:54:50     Chair Webb

09:55:01     Sen. Tempel

09:55:16     Sen. Cohenour

09:56:08     Chair Webb

09:56:16     Sen. Tempel

09:56:26     Chair Webb

09:56:32     **Vote:** Motion carried 9-1 by voice vote with Sen. Tempel voting no. Sen. McClafferty voted by proxy. Sen. Blasdel and Sen. Thomas were excused. Sen. Tempel will carry the bill.

09:57:22     Sen. Tempel

09:57:33     Chair Webb

**ADJOURNMENT**

Adjournment: 9:58 AM

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Charlene Devine, Secretary

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Additional Documents:

**EXHIBIT**([tas30aad.pdf](#))