

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON TAXATION

**Call to Order:** Chair Roger Webb, on March 12, 2019 at 9:00 A.M., 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:**

Executive Action: SB 239, Do Pass As Amended; SB 241, Do Pass As Amended; HB 16, Be Concurred In As Amended; HB 24, Be Concurred In; HB 288, Be Concurred In As Amended; HB 226, Be Tabled; HB 232, Be Tabled

09:01:36 Chair Webb

09:02:59 Brief Recess

09:23:59 Reconvened

09:23:59 Chair Webb

**EXECUTIVE ACTION ON SB 239**

09:24:13 **Motion:** Sen. Hoven moved that **SB 239 DO PASS.**

09:24:24 **Motion:** Sen. Hoven moved that **SB 239 BE AMENDED.**  
**EXHIBIT(tas50a01)**

**Discussion:**

09:24:37 Jaret Coles, Legislative Services Division (LSD)

09:25:28 Sen. Hoven

09:27:23 Sen. Phillips

09:27:51 Sen. Hoven

09:28:09 **Vote:** Motion carried 7-5 by roll call vote with Sen. Barrett, Sen. Cohenour, Sen. McClafferty, Sen. Phillips and Sen. Pomnichowski voting no. Sen. Thomas voted by proxy.

09:29:15 **Motion:** Sen. Hoven moved that **SB 239 BE AMENDED.**  
**EXHIBIT(tas50a02)**

**Discussion:**

09:29:57 Mr. Coles, LSD

09:32:11 Chair Webb

09:35:03 Sen. Barrett

09:35:10 Sen. Phillips

09:36:14 Chair Webb

09:36:18 Sen. Hoven

09:37:11 Sen. Cohenour

09:39:57 Sen. Gillespie

09:40:48 Chair Webb

09:41:51 **Vote:** Motion carried 7-5 by roll call vote with Sen. Barrett, Sen. Cohenour, Sen. Gillespie, Sen. McClafferty and Sen. Pomnichowski voting no. Sen. Thomas voted by proxy.

09:41:57 Sen. Pomnichowski

09:42:32 **Substitute Motion/Vote:** Sen. Pomnichowski made a Substitute Motion that **SB 239 BE TABLED.** Substitute Motion failed 6-6 by roll call vote with Sen. Barrett, Sen. Cohenour, Sen. Gillespie, Sen. McClafferty, Sen. Phillips and Sen. Pomnichowski voting aye. Sen. Thomas voted by proxy.

09:43:45 **Motion/Vote:** Sen. Hoven moved that **SB 239 DO PASS AS AMENDED**. Motion carried 7-5 by roll call vote with Sen. Barrett, Sen. Cohenour, Sen. McClafferty, Sen. Phillips and Sen. Pomnichowski voting no. Sen. Thomas voted by proxy.

#### **EXECUTIVE ACTION ON SB 241**

09:44:49 Jaret Coles, Legislative Services Division (LSD)

09:45:05 **Motion:** Sen. Hoven moved that **SB 241 DO PASS**.

09:45:12 **Motion:** Sen. Hoven moved that **SB 241 BE AMENDED**.  
[EXHIBIT\(tas50a03\)](#)

#### **Discussion:**

09:45:53 Sen. Hoven  
09:46:38 Sen. Barrett  
09:46:51 Mr. Coles, LSD  
09:47:50 Sen. Pomnichowski  
09:49:37 Mr. Coles

09:50:22 **Vote:** Motion failed 2-10 by roll call vote with Sen. Hoven and Sen. R. Webb voting aye. Sen. Thomas voted by proxy.

09:51:25 **Motion:** Sen. Barrett moved to **RECONSIDER THE ACTION ON SB 241**. (SB024105.AJC passed on 2/20/19, see additional document)

#### **Discussion:**

09:51:51 Sen. Phillips

09:53:03 **Vote:** Motion carried 7-5 by roll call vote with Sen. Gillespie, Sen. Hoven, Sen. Tempel, Sen. Thomas and Sen. R. Webb voting no. Sen. Thomas voted by proxy.

09:53:13 **Motion/Vote:** Sen. Phillips moved that **SB 241 DO PASS AS AMENDED**. Motion carried 10-2 by roll call vote with Sen. Hoven and Sen. Tempel voting no. Sen. Thomas voted by proxy.

#### **EXECUTIVE ACTION ON HB 16**

09:54:22 **Motion:** Sen. Hoven moved that **HB 16 BE CONCURRED IN**.

09:55:19 **Motion:** Sen. Hoven moved that **HB 16 BE AMENDED**.  
[EXHIBIT\(tas50a04\)](#)

#### **Discussion:**

09:55:31 Chair Webb  
09:55:51 Sen. Barrett  
09:56:44 Sen. Cohenour  
09:58:19 Chair Webb

09:59:20 **Vote:** Motion carried 7-5 by roll call vote with Sen. Barrett, Sen. Cohenour, Sen. McClafferty, Sen. Phillips and Sen. Pomnichowski voting no. Sen. Thomas voted by proxy.

10:00:07 **Motion:** Sen. Hoven moved that **HB 16 BE AMENDED.**  
[EXHIBIT\(tas50a05\)](#)

**Discussion:**

10:01:10 Chair Webb  
10:01:14 Sen. Cohenour  
10:02:31 Sen. Phillips  
10:03:00 Sen. Gillespie  
10:03:30 Sen. Cohenour  
10:04:50 Sen. Gillespie  
10:05:17 Sen. Barrett

10:07:20 **Vote:** Motion failed 3-9 by roll call vote with Sen. Gillespie, Sen. Thomas and Sen. R. Webb voting aye.

10:08:49 **Motion:** Sen. Hoven moved that **HB 16 BE AMENDED.**  
[EXHIBIT\(tas50a06\)](#)

**Discussion:**

10:08:58 Chair Webb  
10:09:02 Sen. Cohenour

10:09:56 **Vote:** Motion carried 7-5 by roll call vote with Sen. Barrett, Sen. Cohenour, Sen. McClafferty, Sen. Phillips and Sen. Pomnichowski voting no. Sen. Thomas voted by proxy.

10:10:59 **Motion:** Sen. Hoven moved that **HB 16 BE AMENDED.**  
[EXHIBIT\(tas50a07\)](#)

**Discussion:**

10:11:20 Chair Webb  
10:11:31 Sen. Pomnichowski  
10:13:21 Sen. Cohenour  
10:14:43 Sen. Gillespie  
10:14:53 Chair Webb  
10:15:32 Sen. Barrett  
10:17:10 Sen. Cohenour

10:18:13 **Vote:** Motion failed 4-8 by roll call vote with Sen. Blasdel, Sen. Hoven, Sen. Thomas and Sen. R. Webb voting aye. Sen. Thomas voted by proxy.

10:19:30 **Motion:** Sen. Hoven moved that **HB 16 BE AMENDED.**  
[EXHIBIT\(tas50a08\)](#)

**Discussion:**

10:19:40 Chair Webb  
10:19:53 Sen. Phillips  
10:19:58 Chair Webb  
10:20:14 Sen. Hoven  
10:21:11 Sen. Barrett  
10:21:18 Sen. Hoven  
10:21:26 Sen. Phillips  
10:22:05 Chair Webb  
10:22:17 Sen. Pomnichowski

10:23:31 Without objection, the Be Amended motion was withdrawn.

10:23:57 **Motion:** Sen. Hoven moved that **HB 16 BE CONCURRED IN AS AMENDED.**

**Discussion:**

10:24:07 Sen. Cohenour  
10:24:25 Sen. Barrett  
10:24:42 Jaret Coles, Legislative Services Division

10:25:17 **Vote:** Motion carried 11-1 by roll call vote with Sen. Blasdel voting no. Sen. Thomas voted by proxy. Sen. Barrett will carry the bill.

**EXECUTIVE ACTION ON HB 24**

10:26:27 **Motion/Vote:** Sen. Hoven moved that **HB 24 BE CONCURRED IN.** Motion carried 10-2 by voice vote with Sen. Hoven and Sen. Pomnichowski voting no. Sen. Thomas voted by proxy. Sen. Cohenour will carry the bill.

**EXECUTIVE ACTION ON HB 226**

10:27:13 **Motion:** Sen. Hoven moved that **HB 226 BE CONCURRED IN.**

**Discussion:**

10:27:20 Sen. Cohenour

10:28:47 **Vote:** Motion failed 5-7 by roll call vote with Sen. Blasdel, Sen. Gillespie, Sen. Richmond, Sen. Thomas and Sen. R. Webb voting aye. Sen. Thomas voted by proxy.

10:28:50 **Motion/Vote:** Sen. Barrett moved that **HB 226 BE TABLED.** Motion carried 11-0 by voice vote. Sen. Thomas was excused.

**EXECUTIVE ACTION ON HB 232**

10:30:03 **Motion:** Sen. Hoven moved that **HB 232 BE CONCURRED IN.**

**Discussion:**

10:30:19 Sen. Barrett  
10:33:48 Sen. Gillespie

- 10:34:05 Sen. Barrett  
10:37:50 Sen. Cohenour  
10:39:13 Chair Webb  
10:39:17 Sen. Barrett  
10:40:50 Sen. Pomnichowski  
10:41:43 Sen. Tempel
- 10:42:11 **Vote:** Motion failed 5-7 by roll call vote with Sen. Blasdel, Sen. Hoven, Sen. Richmond, Sen. Thomas and Sen. R. Webb voting aye. Sen. Thomas voted by proxy.
- 10:42:20 **Motion/Vote:** Sen. Barrett moved that **HB 232 BE TABLED**. Motion carried 11-0 by voice vote. Sen. Thomas was excused.

**EXECUTIVE ACTION ON HB 288**

- 10:43:08 **Motion:** Sen. Hoven moved that **HB 288 BE CONCURRED IN**.
- 10:43:48 **Motion:** Sen. Barrett moved that **HB 288 BE AMENDED**.  
[EXHIBIT\(tas50a09\)](#)

**Discussion:**

- 10:44:12 Sen. Barrett
- 10:45:07 **Vote:** Motion carried unanimously by voice vote of those present and voting.
- 10:45:21 **Motion/Vote:** Sen. Barrett moved that **HB 288 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Thomas voted by proxy. Sen. Barrett will carry the bill.
- 10:46:53 Chair Webb

**ADJOURNMENT**

Adjournment: 10:48 AM

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Charlene Devine, Secretary

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**Additional Document:**

Additional Documents:

**EXHIBIT([tas50aad.pdf](#))**