

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Roger Webb, on March 28, 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
Jacelyn Stewart, 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 334, 3/19/2019, SB 360, 3/26/2019, SB 69, 3/27/2019

Executive Action: SB 322 - Be Tabled
SB 332 - Be Tabled
SB 340 - Be Tabled
SB 360 - Do Pass
SB 334 - Do Pass as Amended
SB 69 - Do Pass as Amended

HEARING ON SB 360**Opening Statement by Sponsor:**

08:03:53 Sen. Tom Jacobson (D), SD 11, opened the hearing on SB 360, Revise sales tax on rental cars.

Proponents' Testimony:

08:05:31 Gene Walborn, director, Department of Revenue (DOR)

[EXHIBIT\(tas64a01\)](#)

[EXHIBIT\(tas64a02\)](#)

[EXHIBIT\(tas64a03\)](#)

[EXHIBIT\(tas64a04\)](#)

08:12:49 Rose Bender, Montana Budget and Policy Center

Opponents' Testimony:

08:13:35 Spook Stang, Motor Carriers of Montana (MCM)

08:14:54 Bob Story, Montana Taxpayers Association (MonTax)

[EXHIBIT\(tas64a05\)](#)

08:17:55 Riley Johnson, Enterprise Rent-A-Car

Informational Testimony:

08:18:39 Lynn Zanto, Montana Department of Transportation (MDT)

Questions from Committee Members and Responses:

08:19:01 Sen. McClafferty

08:19:19 Mr. Story, MonTax

08:19:36 Sen. McClafferty

08:19:58 Ms. Zanto, MDT

08:20:17 Mr. Walborn, DOR

08:20:29 Sen. Barrett

08:20:55 Mr. Walborn

08:21:04 Sen. Barrett

08:21:21 Sen. Cohenour

08:22:36 Mr. Stang, MCM

Closing by Sponsor:

08:23:18 Sen. Jacobson

HEARING ON SB 69**Opening Statement by Sponsor:**

08:24:16 Sen. Mark Blasdel (R), SD 4, opened the hearing on SB 69, Provisional agricultural classification for certain property with trees/vines.

Proponents' Testimony:

08:26:50 Kory Hofland, Property Assessment Division, Department of Revenue (DOR)

08:27:37 Bob Story, Montana Taxpayers Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

08:28:34 Sen. Pomnichowski
08:31:19 Mr. Hofland, DOR
08:31:42 Sen. Hoven
08:32:47 Mr. Hofland
08:33:05 Sen. Barrett
08:33:31 Mr. Hofland

Closing by Sponsor:

08:33:43 Sen. Blasdel

HEARING ON SB 334

Opening Statement by Sponsor:

08:34:27 Sen. Brian Hoven (R), SD 13, opened the hearing on SB 334, Revise mill levy authority for certain airports.

Proponents' Testimony:

08:36:37 Tom Ebzery, Montana Airport Management Association (MAMA)
08:39:39 Jason Rittal, Montana Association of Counties
08:40:11 John Faulkner, airport director, Great Falls Airport Authority (GTF)
08:43:46 Shane Scanlon, Kalispell Chamber of Commerce

Opponents' Testimony:

08:44:52 Bob Story, Montana Taxpayers Association (MonTax)

Informational Testimony: None

Questions from Committee Members and Responses:

08:46:49 Sen. Cohenour
08:51:58 Mr. Faulkner, GTF
08:52:15 Sen. Barrett
08:54:27 Mr. Story, MonTax
08:54:48 Sen. Gillespie
08:55:25 Mr. Scanlon, Kalispell
08:56:22 Chair Webb
08:56:41 Mr. Ebzery, MAMA
08:56:57 Chair Webb
08:57:16 Jeff Wedehamper, Helena Regional Airport
08:58:05 Sen. Barrett
08:59:34 Mr. Ebzery
08:59:50 Sen. Cohenour
09:01:44 Mr. Ebzery

Closing by Sponsor:

09:02:58 Sen. Hoven

09:04:56 Recess
09:20:06 Reconvened

EXECUTIVE ACTION ON SB 322

09:20:13 **Motion:** Sen. Hoven moved that **SB 322 DO PASS.**

Discussion:

09:21:05 Jaret Coles, Legislative Services Division (LSD)

09:22:06 **Motion:** Sen. Hoven moved that **SB 322 BE AMENDED.**
EXHIBIT(tas64a06)

Discussion:

09:22:18 Sen. Cohenour
09:22:51 Sen. Hoven
09:23:11 Sen. Barrett
09:23:55 Sen. Gillespie
09:25:04 Chair Webb
09:25:30 Sen. Cohenour
09:25:56 Sen. Gillespie

09:27:19 **Vote:** Motion carried 11-1 by roll call vote with Sen. Cohenour voting no. Sen. Thomas voted by proxy.

09:27:21 **Motion:** Sen. Hoven moved that **SB 322 DO PASS AS AMENDED.**

Discussion:

09:27:31 Sen. Barrett
09:28:44 Sen. Cohenour
09:29:36 Chair Webb
09:30:25 Sen. Pomnichowski

09:32:19 **Vote:** Motion failed 6-6 by roll call vote with Sen. Blasdel, Sen. Gillespie, Sen. Hoven, Sen. Richmond, Sen. Thomas and Sen. R. Webb voting aye. Sen. Thomas voted by proxy.

09:33:04 **Motion/Vote:** Sen. Barrett moved that **SB 322 BE TABLED.** Motion carried 11-0 by voice vote. Sen. Thomas was excused.

EXECUTIVE ACTION ON SB 332

09:33:34 **Motion/Vote:** Sen. Hoven moved that **SB 332 BE TABLED.** Motion carried 11-0 by voice vote. Sen. Thomas was excused.

EXECUTIVE ACTION ON SB 340

09:34:10 **Motion:** Sen. Hoven moved that **SB 340 DO PASS.**

Discussion:

09:34:31 Jaret Coles, Legislative Services Division (LSD)

09:36:46 **Motion:** Sen. Cohenour moved that **SB 340 BE AMENDED.**

[EXHIBIT\(tas64a07\)](#)

Discussion:

09:38:02 Chair Webb

09:38:28 Sen. Cohenour

09:39:04 Chair Webb

09:39:40 Sen. Gillespie

09:39:47 **Vote:** Motion failed 4-8 by roll call vote with Sen. Barrett, Sen. Cohenour, Sen. McClafferty and Sen. Pomnichowski voting aye. Sen. Thomas voted by proxy.

09:40:47 **Motion:** Sen. Hoven moved that **SB 340 BE AMENDED.**

[EXHIBIT\(tas64a08\)](#)

Discussion:

09:41:04 Mr. Coles, LSD

09:46:17 Sen. Barrett

09:47:10 Mr. Coles

09:48:09 Sen. Barrett

09:48:31 Mr. Coles

09:49:37 Sen. Barrett

09:49:47 Mr. Coles

09:49:52 Sen. McClafferty

09:50:17 Mr. Coles

09:51:15 Sen. McClafferty

09:51:39 Sen. Pomnichowski

09:53:06 Chair Webb

09:53:28 Mr. Coles

09:54:06 Sen. Pomnichowski

09:55:19 Mr. Coles

09:57:02 Sen. Barrett

09:58:28 Sen. Cohenour

09:58:48 Mr. Coles

09:59:25 Sen. Barrett

09:59:57 Sen. Pomnichowski

10:00:26 Chair Webb

10:00:30 Sen. Pomnichowski

10:01:49 Sen. Barrett

10:04:58 Chair Webb

10:05:07 Sen. Barrett

10:05:15 Sen. Phillips

10:06:09 Sen. Barrett

10:06:31 Chair Webb

10:07:48 **Vote:** Motion carried 8-4 by roll call vote with Sen. Barrett, Sen. Cohenour, Sen. McClafferty and Sen. Pomnichowski voting no. Sen. Thomas voted by proxy.

10:08:33 **Motion:** Sen. Hoven moved that **SB 340 BE AMENDED.**
EXHIBIT(tas64a09)

Discussion:

10:08:43 Sen. Phillips
10:09:07 Mr. Coles
10:09:34 Sen. Phillips
10:10:23 Sen. Barrett
10:11:31 Sen. Gillespie
10:11:43 Chair Webb
10:11:57 Sen. Barrett
10:13:04 Chair Webb
10:13:07 Sen. Barrett

10:13:24 **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.

10:14:13 **Motion:** Sen. R. Webb moved that **SB 340 DO PASS AS AMENDED.**

Discussion:

10:14:19 Sen. Phillips
10:14:30 Sen. Barrett
10:19:32 Chair Webb
10:20:05 Sen. Barrett
10:20:33 Chair Webb
10:20:41 Sen. Cohenour
10:23:33 Chair Webb
10:24:00 Sen. Hoven
10:25:42 Sen. Richmond
10:26:34 Mr. Coles
10:27:34 Chair Webb
10:27:46 Sen. Richmond
10:28:04 Sen. McClafferty

10:28:19 Without objection, Sen. Hoven withdrew his motion.

10:28:26 **Motion:** Sen. Hoven moved to **SEGREGATE AMENDMENT SB034003.AJC AND AMEND SB 340 WITH SECTION 2.**

10:28:47 Sen. Pomnichowski
10:30:27 Mr. Coles
10:31:27 Sen. Pomnichowski
10:31:44 Sen. Cohenour
10:32:49 Sen. Webb
10:33:21 Mr. Coles
10:33:56 Sen. Cohenour
10:34:25 Chair Webb
10:34:31 Sen. Cohenour

10:35:22 **Vote:** Motion carried 7-5 by roll call vote with Sen. Barrett, Sen. Cohenour, Sen. McClafferty, Sen. Pomnichowski and Sen. Tempel voting no. Sen. Thomas voted by proxy.

10:36:03 **Motion/Vote:** Sen. Hoven moved that **SB 340 DO PASS AS AMENDED**. Motion failed 6-6 by roll call vote with Sen. Blasdel, Sen. Hoven, Sen. Phillips, Sen. Richmond, Sen. Thomas and Sen. R. Webb voting aye. Sen. Thomas voted by proxy.

10:37:02 **Motion/Vote:** Sen. Cohenour moved that **SB 340 BE TABLED**. Motion carried 11-0 by voice vote. Sen. Thomas was excused.

EXECUTIVE ACTION ON SB 360

10:37:38 **Motion:** Sen. Hoven moved that **SB 360 DO PASS**.

Discussion:

10:37:54 Sen. Pomnichowski

10:38:50 Sen Hoven

10:39:16 **Vote:** Motion carried 8-4 by roll call vote with Sen. Blasdel, Sen. Richmond, Sen. Thomas and Sen. R. Webb voting no. Sen. Thomas voted by proxy.

EXECUTIVE ACTION ON SB 334

10:40:03 **Motion:** Sen. Hoven moved that **SB 334 DO PASS**

10:40:21 **Motion:** Sen. Hoven moved that **SB 334 BE AMENDED**.

[EXHIBIT\(tas64a10\)](#)

Discussion:

10:41:00 Sen. Pomnichowski

10:41:17 Sen. Hoven

10:41:43 Sen. Barrett

10:42:01 **Vote:** Motion carried 11-0 by voice vote of those present and voting.

10:42:05 **Motion:** Sen. Hoven moved that **SB 334 DO PASS AS AMENDED**.

Discussion:

10:42:15 Sen. Barrett

10:42:29 Sen. Cohenour

10:43:34 Sen. Hoven

10:44:21 Sen. Barrett

10:45:45 **Vote:** Motion carried 10-1 by voice vote with Sen. Cohenour voting no. Sen. Thomas was excused.

EXECUTIVE ACTION ON SB 69

10:45:57 **Motion:** Sen. Hoven moved that **SB 69 DO PASS.**

10:46:09 **Motion/Vote:** Sen. Blasdel moved that **SB 69 BE AMENDED.** Motion carried 11-0 by voice vote. Sen. Thomas was excused.

EXHIBIT(tas64a11)

10:46:42 **Motion:** Sen. Blasdel moved that **SB 69 DO PASS AS AMENDED.**

Discussion:

10:46:49 Sen. Tempel

10:47:03 Sen. Blasdel

10:47:37 **Vote:** Motion carried 11-0 by voice vote of those present and voting.

10:48:03 Chair Webb

ADJOURNMENT

Adjournment: 10:48 AM

Jacelyn Stewart, Secretary

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Additional Documents:

EXHIBIT([tas64aad.pdf](#))