

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Roger Webb, on April 11, 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:

Hearing & Date Posted: HJ 35, 4/8/2019

Executive Action: HB 636, Be Concurred in As Amended; HB 293, Be Concurred In As Amended; HB 723, Be Concurred In As Amended; HJ 35, Be Concurred In As Amended; HB 507, Be Concurred In; HB 656, Be Concurred In; HB 130, Be Tabled; HB 144, Be Tabled; HB 630, Be Tabled; HB 673, Be Tabled; HB 733, Be Tabled; SB 339, Be Tabled; SB 135, Be Tabled, HJ 35, Be Concurred in As Amended

09:03:04 Chair Webb

EXECUTIVE ACTION ON HB 130

09:05:25 **Motion:** Sen. Hoven moved that **HB 130 BE CONCURRED IN.**

Discussion:

09:05:38 Sen. Hoven
09:06:19 Sen. Pomnichowski
09:08:26 Sen. Phillips
09:10:20 Sen. Cohenour
09:11:14 Sen. Hoven

09:12:24 **Vote:** Motion failed 6-6 by roll call vote with Sen. Blasdel, Sen. Hoven, Sen. Richmond, Sen. Tempel, Sen. Thomas and Sen. R. Webb voting aye. Sen. Thomas voted by proxy.

09:13:07 **Motion/Vote:** Sen. Pomnichowski moved that **HB 130 BE TABLED.** Motion carried 9-2 by voice vote with Sen. Blasdel and Sen. Tempel voting no. Sen. Thomas was excused.

HEARING ON HJ 35

Opening Statement by Sponsor:

09:13:59 Rep. Alan Redfield (R), HD 59, opened the hearing on HJ 35, Interim study of state and local tax policy.

Proponents' Testimony:

09:15:05 Darryl James, Montana Infrastructure Coalition
09:17:09 Jason Rittal, Montana Association of Counties
09:18:33 Tim Burton, Montana League of Cities and Towns
09:21:06 Bob Story, Montana Taxpayers Association
09:25:15 Cary Hegreberg, Montana Chamber of Commerce

EXHIBIT(tas76a01)

09:27:48 Alan Olson, Montana Petroleum Association
09:28:05 Allen Lloyd, Montana Society of Certified Public Accountants

EXHIBIT(tas76a02)

09:29:00 Liv Stavick , Montana Farm Bureau Federation
09:29:34 Shelby DeMars, Montana Association of Oil, Gas, and Coal Counties
09:30:27 Geoff Feiss, Montana Telecommunications Association
09:31:22 Sam Sill, Montana Association of Realtors
09:32:02 Heather O'Loughlin, Montana Budget and Policy Center

EXHIBIT(tas76a03)

09:35:20 Jay Skoog, American Council of Engineering Companies of Montana
09:36:12 Richard Clark, City of Billings

09:36:44 Aimee Grmoljez, Montana Bankers Association; Montana Hospitality and Lodging Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:37:53 Sen. Phillips
09:39:55 Rep. Redfield
09:40:02 Sen. Barrett
09:41:13 Rep. Redfield
09:41:54 Sen. Hoven
09:42:21 Rep. Redfield

Closing by Sponsor:

09:43:21 Rep. Redfield

EXECUTIVE ACTION ON HB 144

09:44:29 Chair Webb
09:45:00 Sen. Phillips
09:45:08 Chair Webb

09:45:22 **Motion/Vote:** Sen. Hoven moved that **HB 144 BE TABLED**. Motion carried unanimously by roll call vote. Sen. Thomas voted by proxy.

EXECUTIVE ACTION ON HB 293

09:46:27 **Motion:** Sen. Hoven moved that **HB 293 BE CONCURRED IN**.

Discussion:

09:47:21 Sen. Hoven

09:47:55 **Motion:** Sen. Pomnichowski moved that **HB 293 BE AMENDED**.
[EXHIBIT\(tas76a04\)](#)

Discussion:

09:49:05 Sen. Phillips
09:50:27 Jaret Coles, Legislative Services Division (LSD)

09:51:03 **Vote:** Motion carried by voice vote of those present and voting.

09:51:17 Sen. Blasdel
09:51:34 Mr. Coles, LSD

09:52:27 **Motion:** Sen. Blasdel moved that **HB 293 BE AMENDED**.
[EXHIBIT\(tas76a05\)](#)

Discussion:

- 09:52:40 Gene Walborn, Department of Revenue (DOR)
- 09:55:50 **Vote:** Motion carried unanimously by voice vote of those present and voting.
- 09:56:13 Sen. Barrett
- 09:56:42 Sen. Phillips
- 09:57:18 Sen. Cohenour
- 09:57:56 Sen. Hoven
- 09:58:24 Mr. Walborn, DOR
- 09:59:30 **Motion/Vote:** Sen. Hoven moved that **HB 293 BE CONCURRED IN AS AMENDED**. Motion failed 6-6 by roll call vote with Sen. Blasdel, Sen. Cohenour, Sen. McClafferty, Sen. Phillips, Sen. Pomnichowski and Sen. Richmond voting aye.
- 10:00:37 **Motion/Vote:** Sen. Barrett moved that **HB 293 BE TABLED**. Motion failed 5-7 by roll call vote with Sen. Barrett, Sen. Gillespie, Sen. Hoven, Sen. Thomas and Sen. R. Webb voting aye. Sen. Thomas voted by proxy.

EXECUTIVE ACTION ON HB 507

- 10:01:43 **Motion:** Sen. Hoven moved that **HB 507 BE CONCURRED IN**.

Discussion:

- 10:01:55 Sen. Cohenour
- 10:02:46 **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. Sen. Blasdel will carry the bill.

EXECUTIVE ACTION ON HB 630

- 10:03:44 **Motion/Vote:** Sen. Hoven moved that **HB 630 BE TABLED**. Motion carried 10-2 by roll call vote with Sen. Richmond and Sen. R. Webb voting no. Sen. Thomas voted by proxy.

EXECUTIVE ACTION ON HB 636

- 10:04:45 **Motion:** Sen. Hoven moved that **HB 636 BE CONCURRED IN**.

- 10:05:05 **Motion:** Sen. Richmond moved that **HB 636 BE AMENDED**.
[EXHIBIT\(tas76a06\)](#)

Discussion:

- 10:06:19 Sen. Barrett
- 10:06:58 Sen. Cohenour
- 10:08:50 Sen. Phillips
- 10:09:48 Sen. Richmond
- 10:11:13 Sen. Cohenour

10:13:41 Sen. Richmond
10:14:03 Chair Webb
10:14:35 Sen. Cohenour

10:15:14 **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.

10:15:30 Jaret Coles, Legislative Services Division

10:16:32 **Motion:** Sen. Hoven moved that **HB 636 BE CONCURRED IN AS AMENDED.**

Discussion:

10:16:39 Sen. Barrett

10:17:14 **Vote:** Motion carried 11-1 by roll call vote with Sen. Pomnichowski voting no. Sen. Thomas voted by proxy. Sen. Gillespie will carry the bill.

EXECUTIVE ACTION ON HB 293

10:18:08 **Motion:** Sen. Hoven moved that **HB 293 BE CONCURRED IN AS AMENDED.**
(see 09:46:27)

Discussion:

10:18:35 Sen. Phillips

10:18:41 **Vote:** Motion carried 7-5 by roll call vote with Sen. Barrett, Sen. Gillespie, Sen. Hoven, Sen. Tempel and Sen. R. Webb voting no. Sen. Thomas voted by proxy. Sen. Malek will carry the bill.

10:19:41 Sen. Phillips

EXECUTIVE ACTION ON HB 656

10:20:02 **Motion:** Sen. Hoven moved that **HB 656 BE CONCURRED IN.**

Discussion:

10:20:22 Sen. Richmond

10:23:25 **Vote:** Motion carried unanimously by voice vote. Sen. Thomas was excused. Sen. Richmond will carry the bill.

EXECUTIVE ACTION ON HB 673

10:23:43 **Motion/Vote:** Sen. Hoven moved that **HB 673 BE TABLED.** Motion carried unanimously by voice vote. Sen. Thomas was excused.

EXECUTIVE ACTION ON HB 723

10:24:05 **Motion:** Sen. Hoven moved that **HB 723 BE CONCURRED IN.**

10:25:03 **Motion:** Sen. Cohenour moved that **HB 723 BE AMENDED.**
EXHIBIT(tas76a07)

Discussion:

10:25:15 Sen. Cohenour

10:25:44 **Vote:** Motion carried unanimously by voice vote of those present and voting.

10:25:57 **Motion/Vote:** Sen. R. Webb moved that **HB 723 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Thomas was excused. Sen. Gillespie will carry the bill.

EXECUTIVE ACTION ON HB 733

10:26:29 **Motion:** Sen. Hoven moved that **HB 733 BE CONCURRED IN.**

Discussion:

10:26:38 Jaret Coles, Legislative Services Division

10:27:03 Sen. Phillips

10:27:10 **Substitute Motion/Vote:** Sen. Cohenour made a Substitute Motion that **HB 733 BE TABLED.** Substitute Motion carried 10-2 by roll call vote with Sen. Blasdel and Sen. R. Webb voting no. Sen. Thomas voted by proxy.

EXECUTIVE ACTION ON SB 339

10:28:27 **Motion/Vote:** Sen. Barrett moved that **SB 339 BE TABLED.** Motion carried unanimously by voice vote. Sen. Thomas was excused.

EXECUTIVE ACTION ON SB 135

10:28:53 **Motion/Vote:** Sen. Barrett moved that **SB 135 BE TABLED.** Motion carried unanimously by voice vote. Sen. Thomas was excused.

EXECUTIVE ACTION ON HJ 35

10:29:22 **Motion:** Sen. Hoven moved that **HJ 35 BE CONCURRED IN.**

10:29:29 **Motion:** Sen. Cohenour moved that **HJ 35 BE CONCEPTUALLY AMENDED.**

Discussion:

10:30:46 Chair Webb

10:31:12 Sen. Cohenour

10:31:24 Jaret Coles, Legislative Services Division

- 10:31:38 Sen. Cohenour
- 10:31:52 **Vote:** Motion carried unanimously by voice vote of those present and voting.
- 10:31:59 Sen. Phillips
- 10:33:22 **Motion:** Sen. Cohenour moved that **HJ 35 BE CONCEPTUALLY AMENDED.**

Discussion:

- 10:33:54 Sen. Phillips
- 10:34:13 Sen. Hoven
- 10:34:53 Sen. Pomnichowski
- 10:35:00 Without objection, Sen. Cohenour withdrew the motion.
- 10:35:09 **Motion/Vote:** Sen. Pomnichowski moved that **HJ 35 BE CONCEPTUALLY AMENDED.** Motion carried unanimously by voice vote of those present and voting.
- 10:35:20 **Motion:** Sen. R. Webb moved that **HJ 35 BE CONCURRED IN AS AMENDED.**

Discussion:

- 10:35:26 Sen. Barrett
- 10:37:44 Sen. Cohenour
- 10:38:11 Sen. Barrett
- 10:38:18 Sen. Phillips
- 10:38:48 Sen. Barrett
- 10:39:26 Chair Webb
- 10:39:55 Sen. Gillespie
- 10:40:13 Chair Webb
- 10:40:28 Sen. Cohenour
- 10:41:41 Sen. Tempel
- 10:42:12 **Vote:** Motion carried 11-0 by voice vote. Sen. Thomas was excused. Sen. Webb will carry the bill.
- 10:42:35 Chair Webb

ADJOURNMENT

Adjournment: 10:43 AM

Charlene Devine, Secretary

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Additional Documents:

EXHIBIT([tas76aad.pdf](#))