

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Llew Jones, on April 6, 2021 at 8:30 A.M., in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Llew Jones, Chair (R)
Rep. Kenneth L. Holmlund, Vice Chair (R)
Rep. Matt Regier, Vice Chair (R)
Rep. Brad Tschida, Vice Chair (R)
Rep. Dan Bartel (R)
Rep. David Bedey (R)
Rep. John Fuller (R)
Rep. Frank Garner (R)
Rep. Jim Hamilton (D)
Rep. Jim Keane (D)
Rep. Connie Keogh (D)
Rep. Emma Kerr-Carpenter (D)
Rep. Bill Mercer (R)
Rep. Terry Moore (R)
Rep. Joe Read (R)
Rep. Vince Ricci (R)
Rep. Jerry Schillinger (R)
Rep. Jonathan Windy Boy (D)

Members Excused:

Rep. Mary Caferro, Vice Chair (D)
Rep. Mike Hopkins (R)
Rep. Fiona Nave (R)
Rep. Jimmy Patelis (R)
Rep. Sharon Stewart Peregoy (D)
Rep. Sue Vinton (R)

Members Absent: None

Staff Present:

Brittany Bury, Committee Secretary
Kathy Sangray, Committee Secretary
Julie Johnson, Legislative Branch
Joe Triem, Legislative Branch
Anthony Flores Nuno, Remote Meeting Coordinator

Committee Business Summary:

Hearing & Date Posted: HB 663, 3/30/2021; HB 681, 3/30/2021; HB 682, 3/30/2021; HB 683, 3/30/2021, HB 340, 4/1/2021; HB 697, 4/1/2021; HB 661, 4/1/2021; HB 675, 4/1/2021; HB 704, 4/1/2021.

Executive Action: HB 663, HB 681, HB 683, HB 682, HB 421, HB 583, HB 340, HB 661, HB 675, HB 697, HB 704, HB 421

HEARING ON HB 663**Opening Statement by Sponsor:**

08:39:07 Rep. Brandon Ler (R), HD 35, opened the hearing on HB 663, Generally revising school funding to increase GTB and lower property taxes.

Proponents' Testimony:

08:40:08 Lance Melton, Montana Association of School Business Officials (MASBO);
Montana Public Education Coalition (MT-PEC)

Opponents' Testimony: None

Informational Testimony:

08:42:10 Paul Taylor, Office of Public Instruction (OPI)

Questions from Committee Members and Responses:

08:42:33 Rep. Windy Boy
08:43:26 Paul Taylor, OPI
08:44:36 Rep. Windy Boy
08:44:57 Chair Jones

Closing by Sponsor:

08:45:35 Rep. Ler

HEARING ON HB 681**Opening Statement by Sponsor:**

08:46:36 Rep. Joshua Kassmier (R), HD 27, opened the hearing on HB 681, Create agricultural transportation enhancement account for port authorities.

Proponents' Testimony:

08:47:35 Rachel Cone, Montana Farm Bureau Federation (MFBF)
08:47:37 Vice Chair Caferro joined the meeting.
08:48:37 Jay Bodner, Montana Stock Growers Association (MSGA)

Opponents' Testimony: None

Informational Testimony:

08:49:55 Christy Clark, Department of Agriculture (AGR)
08:50:30 Cindy Trimp, Department of Agriculture (AGR)

Questions from Committee Members and Responses:

08:50:55 Vice Chair Regier
08:51:16 Joe Triem, Legislative Fiscal Division (LFD)
08:51:35 Chair Jones
08:52:00 Vice Chair Regier
08:53:45 Rep. Kassmier
08:54:21 Rep. Hamilton
08:56:33 Rep. Kassmier
08:56:51 Chair Jones

08:59:07 Rep. Kassmier
08:59:12 Vice Chair Tschida
09:00:00 Rep. Kassmier
09:00:06 Chair Jones
09:00:13 Joe Triem, LFD
09:00:37 Vice Chair Caferro
09:01:54 Rep. Kassmier
09:02:18 Rep. Kerr-Carpenter
09:02:42 Rep. Kassmier
09:03:02 Rep. Schillinger
09:04:28 Rep. Kassmier

Closing by Sponsor:

09:04:40 Rep. Kassmier

HEARING ON HB 683

Opening Statement by Sponsor:

09:05:43 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 683, Distribute recreational marijuana revenue to unfunded pension liability.

Proponents' Testimony:

09:08:27 Shawn Graham, Teacher's Retirement System (TRS)
09:09:07 Dore Schwinden, Montana Public Employee Retirement Association (MPERA)

Opponents' Testimony:

09:09:56 Patrick Johnson, self
09:11:02 Jake Brown, Montana Conservation Voters (MCV)
09:11:38 Noah Marion, Montana Wilderness Association (MWA)
09:12:34 Frank Szollosi, Montana Wildlife Federation (MWF)

Informational Testimony:

09:14:24 Kristen Barbour, Montana Department of Revenue (DOR)

Questions from Committee Members and Responses:

09:15:13 Rep. Hamilton
09:16:43 Dore Schwinden, MPERA
09:16:55 Vice Chair Tschida
09:19:07 Frank Szollosi, MWF
09:19:37 Vice Chair Tschida

Closing by Sponsor:

09:20:18 Rep. Mercer

HEARING ON HB 682

Opening Statement by Sponsor:

09:20:48 Rep. Matt Regier (R), HD 4, opened the hearing on HB 682, Provide for property tax relief income tax credit.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

09:22:31 Lee Baerlocher, Department of Revenue (DOR)

Questions from Committee Members and Responses:

09:22:46 Rep. Mercer

09:23:59 Lee Baerlocher, DOR

Closing by Sponsor:

09:24:15 Rep. M. Regier

EXECUTIVE ACTION ON HB 663

09:24:38 **Motion:** Rep. Holmlund moved that **HB 663 DO PASS.**

Discussion:

09:24:51 Chair Jones

09:25:58 Vice Chair Caferro

09:26:24 Chair Jones

09:27:09 Rep. Stewart Peregoy

09:27:22 **Vote:** Motion carried 17-7 by roll call vote with Rep. Caferro, Rep. Hamilton, Rep. Keane, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy and Rep. Windy Boy voting no. Rep. Hamilton, Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

EXECUTIVE ACTION ON HB 681

09:29:00 **Motion/Vote:** Rep. Holmlund moved that **HB 681 DO PASS.** Motion carried 18-6 by roll call vote with Rep. Mercer, Rep. Moore, Rep. M. Regier, Rep. Stewart Peregoy, Rep. Tschida and Rep. Vinton voting no. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

EXECUTIVE ACTION ON HB 683

09:30:47 **Motion:** Rep. Holmlund moved that **HB 683 DO PASS.**

Discussion:

09:30:53 Chair Jones

09:31:01 Rep. Windy Boy

09:31:35 Rep. Bedey

09:32:37 Rep. Kerr-Carpenter

09:33:11 **Vote:** Motion carried 16-8 by roll call vote with Rep. Caferro, Rep. Garner, Rep. Hamilton, Rep. Keane, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy and Rep. Windy Boy voting no. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

EXECUTIVE ACTION ON HB 682

09:34:33 **Motion:** Rep. Holmlund moved that **HB 682 DO PASS.**

09:34:41 **Motion/Vote:** Rep. Holmlund moved that **HB 682 BE TABLED.** Motion carried 22-2 by roll call vote with Rep. Hamilton and Rep. Read voting no. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

EXECUTIVE ACTION ON HB 421

09:36:18 **Motion:** Rep. Holmlund moved that **HB 421 DO PASS.**

09:36:32 **Motion:** Rep. Holmlund moved that **HB 421 BE AMENDED.**

Discussion:

09:36:41 Joe Triem, LFD
09:39:02 Vice Chair Tschida
09:39:23 Joe Triem, LFD
09:39:36 Rep. Windy Boy
09:40:00 Joe Triem, LFD

09:40:14 **Vote:** Motion carried unanimously by voice vote. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

09:40:47 **Motion:** Rep. Holmlund moved that **HB 421 DO PASS AS AMENDED.**

Discussion:

09:40:53 Vice Chair Caferro
09:41:41 Joe Triem, LFD
09:42:09 Rep. Hamilton
09:43:07 Rep. Mercer
09:43:53 Rep. Hamilton
09:44:25 Rep. Windy Boy
09:45:40 Rep. Moore

09:47:12 **Vote:** Motion failed 5-19 by roll call vote with Rep. Bartel, Rep. Jones, Rep. M. Regier, Rep. Ricci and Rep. Tschida voting aye. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

09:48:42 **Motion/Vote:** Rep. Holmlund moved that **HB 421 BE TABLED.** Motion carried unanimously by voice vote. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

EXECUTIVE ACTION ON HB 583

09:49:33 **Motion:** Rep. Holmlund moved that **HB 583 DO PASS.**

Discussion:

09:49:42 Rep. Windy Boy
09:49:49 Chair Jones

09:49:59 Joe Triem, LFD

09:51:00 **Substitute Motion/Vote:** Rep. Holmlund made a substitute motion that **HB 583 BE TABLED**. Substitute Motion carried 14-10 by roll call vote with Rep. Caferro, Rep. Hamilton, Rep. Keogh, Rep. Mercer, Rep. Moore, Rep. Nave, Rep. Patelis, Rep. M. Regier, Rep. Tschida and Rep. Vinton voting no. Rep. Fuller, Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

09:52:41 Chair Jones

09:53:40 Recess

12:12:56 Reconvened

HEARING ON HB 340

Opening Statement by Sponsor:

12:13:03 Rep. Wylie Galt (R), HD 30, opened the hearing on HB340, Revise the MEDIA Act film tax credits.

Proponents' Testimony:

12:14:26 Josh Schrader, self

Opponents' Testimony: None

Informational Testimony:

12:14:51 Lee Baerlocherr, Department of Revenue (DOR)
12:15:04 Allison Whitmer, Department of Commerce (COM)
12:15:29 Anna Marie Moe, Department of Commerce (COM)

Questions from Committee Members and Responses:

12:15:54 Rep. Hamilton
12:16:42 Lee Baerlocher, DOR

Closing by Sponsor:

12:19:59 Rep. Galt

HEARING ON HB 697

Opening Statement by Sponsor:

12:20:20 Rep. Joshua Kassmier (R), HD 27, opened the hearing on HB 697, Reimburse landowners for crop damage by wildlife.

Proponents' Testimony:

12:21:45 Charles Denowh, United Property Owners of Montana

Opponents' Testimony:

12:23:40 Dustin Temple, Montana Fish, Wildlife, and Parks (FWP)
12:25:15 Eric Melson, Montana Chapter of Backcountry Hunters and Anglers (BHA)

Informational Testimony: None

Questions from Committee Members and Responses:

12:27:09 Vice Chair Tschida
12:27:45 Dustin Temple, FWP
12:28:04 Rep. Keane
12:28:27 Dustin Temple, FWP
12:29:16 Rep. Windy Boy
12:29:47 Dustin Temple, FWP

Closing by Sponsor:

12:30:12 Rep. Kassmier

HEARING ON HB 661

Opening Statement by Sponsor:

12:30:34 Rep. Joshua Kassmier (R), HD 27, opened the hearing on HB 661, Revise taxation of stripper oil and gas wells.

Proponents' Testimony:

12:31:22 Patrick Montalban, Northern Montana Oil and Gas Association (NMOGA); National Stripper Well Association Board (NSWA); Domestic Energy Producer Alliance (DEPA)

EXHIBIT(aph65a01)

Opponents' Testimony:

12:37:25 Shelby DeMars, Montana Association of Oil and Gas and Coal Counties (MAOGCC)

Informational Testimony:

12:40:32 Dylan Cole, Montana Department of Revenue (DOR)
12:41:02 Lee Baerlocher, DOR

Questions from Committee Members and Responses:

12:41:22 Rep. Hamilton
12:41:52 Rep. Kassmier
12:42:07 Patrick Montalban, NMOGA, NSWA, DEPA
12:47:03 Rep. Windy Boy
12:48:00 Lee Baerlocher, DOR

Closing by Sponsor:

12:49:51 Rep. Kassmier

HEARING ON HB 675

Opening Statement by Sponsor:

12:50:31 Rep. Edward Buttrey (R), HD 21, opened the hearing on HB 675, Revise taxpayer integrity fee under the HELP Act.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

12:52:58 Erica Johnston, Department Public Health and Human Services (DPHHS)
12:53:15 Lee Baerlocher, DOR

Questions from Committee Members and Responses:

12:53:35 Rep. Hamilton
12:54:11 Lee Baerlocher, DOR

Closing by Sponsor:

12:54:59 Rep. Buttrey

HEARING ON HB 704**Opening Statement by Sponsor:**

12:55:33 Rep. Edward Buttrey (R), HD 21, opened the hearing on HB 704, Generally revise state lottery laws.

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

12:57:20 Bryan Costigan, Montana Lottery

Questions from Committee Members and Responses:

12:57:38 Rep. Patelis
12:58:11 Rep. Buttrey
12:59:59 Rep. Ricci
13:00:22 Rep. Buttrey

Closing by Sponsor:

13:01:17 Rep. Buttrey

EXECUTIVE ACTION ON HB 340

13:01:58 **Motion:** Rep. Holmlund moved that **HB 340 DO PASS.**

Discussion:

13:02:04 Rep. Fuller
13:02:55 Rep. Windy Boy
13:04:14 Rep. Keane
13:04:57 Rep. Hamilton

13:06:02 **Vote:** Motion carried 17-7 by roll call vote with Rep. Mercer, Rep. Moore, Rep. Nave, Rep. Read, Rep. M. Regier, Rep. Tschida and Rep. Vinton voting no. Rep. Hopkins, Rep. Mercer, Rep. Nave and Rep. Vinton voted by proxy.

EXECUTIVE ACTION ON HB 661

13:07:49 **Motion/Vote:** Rep. Holmlund moved that **HB 661 DO PASS**. Motion carried 17-7 by roll call vote with Rep. Caferro, Rep. Hamilton, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Moore, Rep. Stewart Peregoy and Rep. Windy Boy voting no. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

EXECUTIVE ACTION ON HB 675

13:09:56 **Motion:** Rep. Holmlund moved that **HB 675 DO PASS**.

Discussion:

13:10:03 Rep. Keogh

13:10:29 **Vote:** Rep. Holmlund moved that **HB 675 DO PASS**. Motion failed 11-13 by roll call vote with Rep. Caferro, Rep. Garner, Rep. Hamilton, Rep. Holmlund, Rep. Hopkins, Rep. Jones, Rep. Keane, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy and Rep. Windy Boy voting aye. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

13:12:15 **Motion/Vote:** Rep. Holmlund moved that **HB 675 BE TABLED**. Motion carried 23-1 by voice vote with Rep. Windy Boy voting no. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

EXECUTIVE ACTION ON HB 697

13:13:09 **Motion/Vote:** Rep. Holmlund moved that **HB 697 DO PASS**. Motion failed 6-18 by roll call vote with Rep. Bartel, Rep. Fuller, Rep. Jones, Rep. Read, Rep. Ricci and Rep. Schillinger voting aye. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

13:15:05 **Motion/Vote:** Rep. Holmlund moved that **HB 697 BE TABLED**. Motion carried unanimously by voice vote. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

EXECUTIVE ACTION ON HB 704

13:15:38 **Motion:** Rep. Holmlund moved that **HB 704 DO PASS**.

Discussion:

13:15:42 Rep. Ricci

13:16:26 Rep. Schillinger

13:16:37 Rep. Patelis

13:17:01 **Motion/Vote:** Rep. Holmlund moved that **HB 704 DO PASS**. Motion failed 7-17 by roll call vote with Rep. Garner, Rep. Holmlund, Rep. Hopkins, Rep. Jones, Rep. Keane, Rep. Stewart Peregoy and Rep. Windy Boy voting aye. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

13:18:36 **Motion/Vote:** Rep. Holmlund moved that **HB 704 BE TABLED**. Motion carried unanimously by voice vote. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

EXECUTIVE ACTION ON HB 421

13:19:01 Chair Jones

13:19:37 Toni Henneman, Legislative Services Division (LSD)

13:21:15 Chair Jones

13:21:22 **Motion/Vote:** Rep. Holmlund moved that **HB 421 BE REMOVED FROM TABLE**. Motion carried 13-11 by roll call vote with Rep. Caferro, Rep. Fuller, Rep. Keane, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Patelis, Rep. Ricci, Rep. Schillinger, Rep. Stewart Peregoy, Rep. Tschida and Rep. Windy Boy voting no. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

13:23:39 Chair Jones

13:24:03 **Motion/Vote:** Rep. Holmlund moved that **AMENDMENT 421.2.1 BE REMOVED**. Motion carried unanimously by voice vote. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

13:24:17 Chair Jones

13:24:41 **Motion:** Rep. Holmlund moved that **HB 421 DO PASS**.

13:24:56 **Motion:** Rep. Holmlund moved that **HB 421 BE AMENDED**.

Discussion:

13:25:10 Rep. Hamilton

13:25:47 Rep. Windy Boy

13:26:10 Rep. Bedey

13:26:48 Toni Henneman, LSD

13:27:16 Rep. Mercer

13:27:45 Toni Henneman, LSD

13:28:06 Rep. Keane

13:28:20 Rep. Bedey

13:29:00 Toni Henneman, LSD

13:29:38 Chair Jones

13:29:44 **Vote:** Motion carried 22-2 by voice vote with Rep. Keane and Rep. Windy Boy voting no. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

13:30:42 **Motion/Vote:** Rep. Holmlund moved that **HB 421 DO PASS AS AMENDED**. Motion failed 9-15 by roll call vote with Rep. Bartel, Rep. Hamilton, Rep. Jones, Rep. Mercer, Rep. Nave, Rep. Read, Rep. M. Regier, Rep. Tschida and Rep. Vinton voting aye. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

13:32:37 **Motion/Vote:** Rep. Holmlund moved that **HB 421 BE TABLED**. Motion carried unanimously by voice vote. Rep. Hopkins, Rep. Nave and Rep. Vinton voted by proxy.

13:33:20 Chair Jones

13:33:37 Rep. Mercer

13:33:49 Chair Jones

ADJOURNMENT

Adjournment: 13:34:21

Kathy Sangray, Secretary

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Additional Documents:

EXHIBIT([aph65aad.pdf](#))