

## MINUTES

### MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON TAXATION

**Call to Order:** Chair Brian Hoven, on January 29, 2021 at 9:00 A.M., in Room 405  
Capitol

#### ROLL CALL

**Members Present in the Committee Room:**

Sen. Brian Hoven, Chair (R)  
Sen. Jill Cohenour, Vice Chair (D)  
Sen. Greg Hertz, Vice Chair (R)  
Sen. Brad Molnar (R)  
Sen. Shannon O'Brien (D)  
Sen. Walt Sales (R)  
Sen. Russel (Russ) Tempel (R)

**Members Present by Video Zoom Conference:**

Sen. Edith (Edie) McClafferty (D)  
Sen. JP Pomnichowski (D)

**Members Excused:**

Sen. Mark Blasdel (R)  
Sen. Gordon Vance (R)

**Members Absent:** None

**Staff Present:** Jaret Coles, Legislative Branch  
Charlene Devine, Committee Secretary  
Karli Kusler, Remote Meeting Coordinator

**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:**

Office of Budget & Program Planning and Legislative Fiscal Division

Executive Action: HB 23, Be Concurred In As Amended, HB 51 Be Concurred In, HB 52, Be Concurred In, SB 7, Do Pass As Amended, SB 8, Do Pass As Amended, SB 51, Do Pass As Amended, SB 52, Do Pass As Amended, SB 11, Be Tabled, SB 12, Be Tabled, SB 73, Be Tabled, SB 78, Be Tabled, SB 85, Be Tabled.

**Legislative Fiscal Division:**

09:02:03 Amy Carlson, Legislative Fiscal Division (LFD)

[EXHIBIT\(tas20a01\)](#)

09:04:31 Sam Schaefer, LFD

[EXHIBIT\(tas20a02\)](#)

09:15:54 Amy Carlson, LFD

[EXHIBIT\(tas20a03\)](#)

**Questions from the Committee:**

09:22:42 Sen. Cohenour

09:25:01 Ms. Carlson

09:25:13 Sen. Hertz

09:30:38 Mr. Schaefer, LFD

09:31:50 Sen. Cohenour

09:32:16 Mr. Schaefer

09:33:42 Sen. Molnar

09:35:58 Ms. Carlson

09:37:12 Sen. Molnar

09:38:04 Ms. Carlson

09:40:52 Chair Hoven

**Office of Budget & Program Planning:**

09:41:07 Kirk Alme, budget director, Office of Budget & Program Planning (OBPP)

09:42:54 Ryan Evans, assistant budget director, OBPP

[EXHIBIT\(tas20a04\)](#)

**Questions from the Committee:**

09:56:46 Sen. Cohenour

10:00:20 Mr. Evans, OBPP

10:01:12 Sen. Hertz

10:01:39 Chair Hoven

**EXECUTIVE ACTION ON HB 23**

10:02:52 **Motion:** Sen. Hertz moved that **HB 23 BE CONCURRED IN.**

10:03:20 **Motion:** Sen. Hoven moved that **HB 23 BE AMENDED.**

[EXHIBIT\(tas20a05\)](#)

**Discussion:**

10:04:36 Sen. Cohenour

10:04:47 Chair Hoven

10:05:25 **Vote:** Motion carried unanimously by voice vote. Sen. Blasdel and Sen. Vance voted by proxy.

10:05:52 **Motion/Vote:** Sen. Hertz moved that **HB 23 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Blasdel and Sen. Vance voted by proxy. Sen. Cary Smith will carry the bill.

**EXECUTIVE ACTION ON HB 51**

10:06:55 **Motion/Vote:** Sen. Hertz moved that **HB 51 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Blasdel and Sen. Vance voted by proxy. Sen. Cohenour will carry the bill.

**EXECUTIVE ACTION ON HB 52**

10:08:20 **Motion/Vote:** Sen. Hertz moved that **HB 52 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Blasdel and Sen. Vance voted by proxy. Sen. Hoven will carry the bill.

**EXECUTIVE ACTION ON SB 7**

10:09:25 **Motion:** Sen. Cohenour moved that **SB 7 DO PASS**.

10:10:06 **Motion/Vote:** Sen. Cohenour moved that **SB 7 BE AMENDED**. Motion carried unanimously by voice vote. Sen. Blasdel and Sen. Vance voted by proxy.

**EXHIBIT(tas20a06)**

10:10:48 **Motion:** Sen. Cohenour moved that **SB 7 DO PASS AS AMENDED**.

**Discussion:**

10:10:55 Sen. Hertz

10:11:41 Sen. Molnar

10:14:58 **Vote:** Motion carried 7-4 by roll call vote with Sen. Blasdel, Sen. Hertz, Sen. Tempel and Sen. Vance voting no. Sen. Blasdel and Sen. Vance voted by proxy.

**EXECUTIVE ACTION ON SB 8**

10:16:18 **Motion:** Sen. Cohenour moved that **SB 8 DO PASS**.

**Discussion:**

10:16:20 Sen. Cohenour

**EXHIBIT(tas20a07)**

10:17:11 Jaret Coles, Legislative Services Division (LSD)

10:18:40 Sen. Hertz

10:18:50 **Motion/Vote:** Sen. Cohenour moved that **SB 8 BE AMENDED**. Motion carried unanimously by voice vote. Sen. Blasdel and Sen. Vance voted by proxy.

10:19:27 **Motion/Vote:** Sen. Cohenour moved that **SB 8 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Sen. Blasdel and Sen. Vance voted by proxy.

**EXECUTIVE ACTION ON SB 11**

10:20:03 **Motion:** Sen. Cohenour moved that **SB 11 DO PASS**.

**Discussion:**

10:20:17 Chair Hoven  
10:21:26 Sen. Cohenour

10:22:20 **Substitute Motion/Vote:** Sen. Hertz made a substitute motion that **SB 11 BE TABLED**. Substitute Motion carried 7-4 by roll call vote with Sen. Cohenour, Sen. McClafferty, Sen. O'Brien and Sen. Pomnichowski voting no. Sen. Blasdel and Sen. Vance voted by proxy.

**EXECUTIVE ACTION ON SB 12**

10:24:24 **Motion:** Sen. Cohenour moved that **SB 12 DO PASS**.

10:24:39 **Substitute Motion/Vote:** Sen. Hertz made a substitute motion that **SB 12 BE TABLED**. Substitute Motion carried 7-4 by roll call vote with Sen. Cohenour, Sen. McClafferty, Sen. O'Brien and Sen. Pomnichowski voting no. Sen. Blasdel and Sen. Vance voted by proxy.

**EXECUTIVE ACTION ON SB 51**

10:26:01 **Motion:** Sen. Hertz moved that **SB 51 DO PASS**.

10:26:19 **Motion:** Sen. Hertz moved that **SB 51 BE AMENDED**.  
[EXHIBIT\(tas20a08\)](#)

**Discussion:**

10:26:35 Mr. Coles, LSD  
10:30:53 Sen. Cohenour  
10:33:23 Mr. Coles  
10:33:57 Sen. Pomnichowski

10:34:48 **Vote:** Motion carried 7-4 by roll call vote with Sen. Cohenour, Sen. McClafferty, Sen. O'Brien and Sen. Pomnichowski voting no. Sen. Blasdel and Sen. Vance voted by proxy.

10:35:49 **Motion:** Sen. Hertz moved that **SB 51 DO PASS AS AMENDED**.

**Discussion:**

10:36:16 Sen. Cohenour  
10:36:50 Mr. Coles

10:36:59 Sen. O'Brien  
10:37:23 Chair Hoven  
  
10:38:32 **Vote:** Motion carried 7-4 by roll call vote with Sen. Cohenour, Sen. McClafferty, Sen. O'Brien and Sen. Pomnichowski voting no. Sen. Blasdel and Sen. Vance voted by proxy.

#### **EXECUTIVE ACTION ON SB 52**

10:39:35 **Motion:** Sen. Hertz moved that **SB 52 DO PASS.**  
  
10:39:43 **Motion:** Sen. Hertz moved that **SB 52 BE AMENDED.**  
[EXHIBIT\(tas20a09\)](#)

#### **Discussion:**

10:40:46 Mr. Coles  
  
10:40:52 Sen. Molnar left the hearing  
  
10:44:51 Sen. McClafferty  
10:45:29 Sen. Ellsworth  
  
10:46:42 **Vote:** Motion carried 10-0 by voice vote. Sen. Blasdel and Sen. Vance voted by proxy. Sen. Molnar was excused.  
  
10:46:45 Sen. Molnar entered the hearing.  
  
10:47:01 **Motion/Vote:** Sen. Hertz moved that **SB 52 DO PASS AS AMENDED.** Motion carried 9-2 by voice vote with Sen. McClafferty and Sen. Pomnichowski voting no. Sen. Blasdel and Sen. Vance voted by proxy.

#### **EXECUTIVE ACTION ON SB 73**

10:48:11 **Motion:** Sen. Sales moved that **SB 73 DO PASS.**  
  
10:48:37 **Substitute Motion/Vote:** Sen. Cohenour made a substitute motion that **SB 73 BE TABLED.** Substitute Motion carried unanimously by roll call vote. Sen. Blasdel and Sen. Vance voted by proxy.

#### **EXECUTIVE ACTION ON SB 78**

10:49:52 **Motion:** Sen. Hertz moved that **SB 78 DO PASS.**  
  
10:50:03 **Motion:** Sen. Hertz moved that **SB 78 BE AMENDED.**  
[EXHIBIT\(tas20a10\)](#)

#### **Discussion:**

10:50:22 Mr Coles

10:51:00 **Vote:** Motion carried unanimously by voice vote. Sen. Blasdel and Sen. Vance voted by proxy.

10:51:21 **Motion:** Sen. Hertz moved that **SB 78 BE AMENDED.**  
[EXHIBIT\(tas20a11\)](#)

**Discussion:**

10:51:37 Mr. Coles  
10:52:06 Sen. Cohenour  
10:52:32 Sen. Hertz

10:52:38 **Vote:** Motion carried 7-4 by roll call vote with Sen. Cohenour, Sen. McClafferty, Sen. O'Brien and Sen. Pomnichowski voting no. Sen. Blasdel and Sen. Vance voted by proxy.

10:53:18 **Motion:** Sen. Hertz moved that **SB 78 DO PASS AS AMENDED.**

**Discussion:**

10:53:53 Sen. Hertz  
10:53:56 Sen. Cohenour  
10:54:21 Sen. Hoven  
10:54:59 Sen. O'Brien  
10:55:17 Sen. Sales

10:55:43 **Vote:** Motion failed 4-7 by roll call vote with Sen. Blasdel, Sen. Hertz, Sen. Vance and Sen. Molnar voting aye. Sen. Blasdel and Sen. Vance voted by proxy.

10:55:47 **Motion/Vote:** Sen. Cohenour moved that **SB 78 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Sen. Blasdel and Sen. Vance voted by proxy.

**EXECUTIVE ACTION ON SB 85**

10:57:17 **Motion:** Sen. Tempel moved that **SB 85 DO PASS.**

10:57:29 **Motion:** Sen. Tempel moved that **SB 85 BE AMENDED.**  
[EXHIBIT\(tas20a12\)](#)

**Discussion:**

10:57:54 Mr. Coles  
11:04:10 Sen. Tempel  
11:06:08 Sen. Hertz  
11:06:58 Sen. Molnar  
11:09:21 Sen. Cohenour  
11:10:05 Sen. O'Brien  
11:11:39 Sen. Molnar  
11:13:22 Mr. Coles  
11:13:31 Sen. Tempel

11:13:56 Mr. Coles  
11:15:02 Sen. Tempel  
11:16:12 Sen. Cohenour  
11:18:08 Sen. Molnar  
11:24:26 Sen. Hertz

11:24:31 **Vote:** Motion failed 2-9 by roll call vote with Sen. Molnar and Sen. Tempel voting aye. Sen. Blasdel and Sen. Vance voted by proxy.

11:25:21 **Substitute Motion/Vote:** Sen. Hertz made a Substitute Motion that **SB 85 BE TABLED**. Substitute Motion carried 9-2 by roll call vote with Sen. Molnar and Sen. Tempel voting no. Sen. Blasdel and Sen. Vance voted by proxy.

11:27:16 Sen. Hoven  
11:27:51 Sen. Hertz

**ADJOURNMENT**

Adjournment: 11:28 A.M.

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Charlene Devine, Secretary

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Additional Documents:

**EXHIBIT**([tas20aad.pdf](#))