

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Brian Hoven, on February 5, 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:

Hearing & Date Posted: SB 154, 2/2/2021
Executive Action on: HB 53, Be Concurred In As Amended, SB 10, Be Amended, SB 124, Be Tabled, SB 126, Do Pass As Amended

EXECUTIVE ACTION ON HB 53

09:01:45 **Motion:** Sen. Hertz moved that **HB 53 BE CONCURRED IN.**

09:02:10 **Motion:** Sen. Hertz moved that **HB 53 BE AMENDED.**
EXHIBIT(tas25a01)

Discussion:

09:02:32 Jaret Coles, Legislative Services Division

09:05:06 **Vote:** Motion carried unanimously by voice vote. Sen. Blasdel and Sen. Vance voted by proxy.

09:05:29 **Motion/Vote:** Sen. Hertz moved that **HB 53 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Blasdel and Sen. Vance voted by proxy. Sen. Hertz will carry the bill.

EXECUTIVE ACTION ON SB 10

09:06:15 **Motion:** Sen. Hertz moved that **SB 10 DO PASS.**

Discussion:

09:07:09 Jaret Coles, Legislative Services Division (LSD)

09:07:31 Sen. Cohenour

09:09:29 **Motion/Vote:** Sen. Cohenour moved that **SB 10 BE AMENDED.** Motion carried 8-3 by roll call vote. Sen. Hertz, Sen. Blasdel, and Sen. Vance voted no. Sen. Blasdel and Sen. Vance voted by proxy.

EXHIBIT(tas25a02)

09:09:32 Without objection, Sen. Cohenour moved to postpone further action on SB 10.

Discussion:

09:09:53 Mr. Coles, LSD

09:11:22 Sen. Hertz

09:11:42 Chair Hoven

EXECUTIVE ACTION ON SB 124

09:13:32 **Motion:** Sen. Cohenour moved that **SB 124 DO PASS.**

09:13:54 **Motion:** Sen. Cohenour moved that **SB 124 BE AMENDED.**
EXHIBIT(tas25a03)

Discussion:

09:14:10 Sen. Cohenour

09:15:06 **Vote:** Motion carried unanimously by voice vote of those present and voting.

09:15:31 **Motion:** Sen. Cohenour moved that **SB 124 BE AMENDED.**
[EXHIBIT\(tas25a04\)](#)

Discussion:

09:16:06 Sen. Cohenour

09:16:21 **Vote:** Motion carried unanimously by voice vote of those present and voting.

09:16:30 **Motion:** Sen. Cohenour moved that **SB 124 DO PASS AS AMENDED.**

Discussion:

09:16:38 Sen. Tempel

09:17:04 Sen. O'Brien

09:18:05 **Substitute Motion/Vote:** Sen. Hertz made a Substitute Motion that **SB 124 BE TABLED.** 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 126

09:19:48 **Motion:** Sen. Hertz moved that **SB 126 DO PASS.**

09:20:11 **Motion:** Sen. Molnar moved that **SB 126 BE AMENDED.**
[EXHIBIT\(tas25a05\)](#)

Discussion:

09:21:25 Sen. Cohenour

09:22:32 **Vote:** Motion carried unanimously by voice vote of those present and voting.

09:22:49 **Motion:** Sen. Hertz moved that **SB 126 DO PASS AS AMENDED.**

Discussion:

09:22:59 Sen. Molnar

09:23:53 Sen. Cohenour

09:25:17 Sen. O'Brien

09:25:51 Sen. Hertz

09:26:55 **Substitute Motion/Vote:** Sen. Pomnichowski made a substitute motion that **SB 126 BE TABLED.** Substitute Motion failed 4-7 by roll call vote with Sen. Cohenour, Sen. McClafferty, Sen. O'Brien and Sen. Pomnichowski voting aye. Sen. Blasdel and Sen. Vance voted by proxy.

09:30:02 **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.

HEARING ON SB 154**Opening Statement by Sponsor:**

09:30:32 Sen. Jason Small (R), SD 21, opened the hearing on SB154, Revise collection of delinquent coal gross proceeds taxes.

Proponents' Testimony:

09:33:49 Jason Rittal, Montana Association of Counties (MACo)

[EXHIBIT\(tas25a06\)](#)

09:37:56 George Real Bird III, Big Horn County

09:39:45 Shelby DeMars, Montana Association of Gas and Coal Counties

09:42:47 Molly Schwend, Montana Coal Council (MCC)

09:43:37 Steve Wade, Navajo Transitional Energy Company (NTEC)

09:45:43 Lance Pedersen, Big Horn County

[EXHIBIT\(tas25a07\)](#)

Opponents' Testimony:

09:47:38 Derf Johnson, Montana Environmental Information Center

Informational Testimony: None

Questions from Committee Members and Responses:

09:53:10 Sen. Cohenour

09:53:45 Mr. Pedersen, Big Horn County

09:56:24 Sen. Hertz

09:57:43 Mr. Rittal, MACo

09:58:52 Sen. Hertz

09:59:18 Sen. Tempel

09:59:46 Mr. Rittal

10:00:47 Chair Hoven

10:01:06 Mr. Rittal

10:02:26 Sen. Sales

10:02:39 Mr. Rittal

10:03:30 Sen. O'Brien

10:04:10 Mr. Rittal

10:04:31 Sen. Hoven

10:04:35 Mr. Rittal

10:05:03 Chair Hoven

10:05:16 Sen. O'Brien

10:06:00 Ms. Schwend, MCC

10:06:32 Sen. O'Brien

10:07:18 Mr. Pedersen

10:08:22 Chair Hoven

10:08:29 Michael Opie, Big Horn County

10:09:12 Denise Rios, Big Horn County treasurer

10:09:35 Chair Hoven

10:09:44 Ms. Rios, county treasurer

10:10:15 Sen. Molnar

10:12:01 Ms. Rios

10:12:39 Mr. Opie, Big Horn County
10:13:42 Sen. Cohenour
10:13:54 Mr. Opie
10:14:21 Sen. McClafferty
10:15:02 Mr. Rittal
10:16:12 Ms. Rios
10:16:21 Sen. McClafferty
10:16:40 Ms. Rios
10:17:23 Sen. McClafferty
10:17:54 Mr. Rittal
10:18:39 Sen. O'Brien
10:21:31 Mr. Wade, NTEC
10:21:42 Chair Hoven
10:21:56 Mr. Wade
10:22:21 Sen. Hertz
10:24:16 Mr. Rittal
10:24:28 Chair Hoven
10:24:35 Mr. Rittal

Closing by Sponsor:

10:25:11 Sen. Small

10:26:20 Chair Hoven

ADJOURNMENT

Adjournment: 10:26 A.M.

Charlene Devine, Secretary

cd

Additional Documents:

EXHIBIT([tas25aad.pdf](#))