

MINUTES
MONTANA HOUSE OF REPRESENTATIVES
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (H) TAXATION

Call to Order: Chair Paul Fielder-R, on February 08, 2023 at 9:02 AM, in 152

ROLL CALL

Members Present: Rep. Paul Fielder, Chair (R)
Rep. Mark Thane, Vice Chair (D)
Rep. Brad Barker (R)
Rep. Larry Brewster (R)
Rep. Alice Buckley (D)
Rep. Edward Butcher (R)
Rep. Jill Cohenour (D)
Rep. Sherry Essmann (R)
Rep. Dave Fern (D)
Rep. Scot Kerns (R)
Rep. Marty Malone (R)
Rep. Russel Miner (R)
Rep. George Nikolakakos (R)
Rep. Melissa Romano (D)
Rep. Tanner Smith (R)

Members Excused: Rep. Kim Abbott (D)
Rep. Joshua Kassmier (R)
Rep. Rhonda Knudsen (R)
Rep. Marilyn Marler (D)
Rep. Sue Vinton (R)
Rep. Tom Welch (R)

Staff Present: Brigitte Bellefleur, Secretary
Megan Moore, Research Analyst

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:

HB 363 02/03/2023

HB 391 02/03/2023

Executive Action:

HB 118 DO PASS AS AMENDED
HB 307 TO TABLE
HB 318 TO TABLE

09:04:39 Chair Fielder

HEARING ON HB 363 - Revise individual income taxes to provide for new uppermost tax rate

Opening Statement:

09:06:22 Rep. Bob Carter (D), HD 98, opened the hearing on HB 363, Revise individual income taxes to provide for new uppermost tax rate.

EXHIBIT1

Discussion:

09:08:52 Rep. Kim Abbott joined the meeting.

Proponent Testimony:

None

Opponent Testimony:

09:15:04 Robert Story, Montana Taxpayers Association

[EXHIBIT\(230208TAHa1\)2](#)

EXHIBIT3

09:19:29 Rep. Brad Barker left the meeting.

Informational Witness Testimony:

09:20:35 Aaron McNay

Questions from Committee:

09:21:15 Rep. Alice Buckley

09:22:08 Bob Story, MT Taxpayers Association

09:23:04 Vice Chair Mark Thane

09:23:33 Rep. Bob Carter-D

09:26:01 Rep. Edward Butcher
09:26:11 Vice Chair Tom Welch joined the meeting.

Closing Statement:

09:26:45 Rep. Bob Carter (D), HD 98, closed the hearing on HB 363.

HEARING ON HB 391 - Require local user fee on certain exempt property

Opening Statement:

09:28:35 Rep. Sherry Essmann (R), HD 52, opened the hearing on HB 391,
Require local user fee on certain exempt property.

Proponent Testimony:

None

Opponent Testimony:

09:35:18 Liz Moore, Executive Director, Montana Nonprofits Association
09:40:59 Patrick Madison, Montana Association of Community Disability Services
09:42:32 Cherr Jiusto, Preserve Montana
09:44:21 Rep. Abbott joined the meeting.
09:46:45 Bob Olson, Montana Hospital Association
09:48:23 Kelly Posewitz, Executive Director, Exploration Works
09:51:02 Rebecca Meyers, Montana Area Agencies on Aging
09:51:56 Pat Noonan, Behavioral Health Alliance of Montana
09:52:42 Margaret Morgan, St. John's Retirement Community
EXHIBIT4
09:54:04 Tal Golden, Disability Rights Montana

09:58:17 Matt Jetty, Exploration Works
10:00:06 Mary Windecker, Behavioral Health Alliance of Montana
10:01:39 Mike Chavers, Yellowstone Boys and Girls Ranch
10:02:51 Andrea Davis, Executive Director, Homeward
10:07:13 Becky Franks, CEO, Cancer Support Center
10:09:32 Katie Mclain, Montana HRDC Director's Association
10:10:58 Sydney Blair, CEO, Center for Mental Health

Informational Witness Testimony:

10:13:10 Kory Hofland, Property Assessment, Department of Revenue, (DOR)

Questions from Committee:

10:14:23 Rep. Scot Kerns
10:14:36 Rep. Sherry Essmann-R
10:17:38 Rep. Alice Buckley
10:17:54 Rep. Sherry Essmann-R
10:18:36 Rep. Kim Abbott joined the meeting.
10:19:35 Rep. Alice Buckley
10:19:59 Pat Noonan
10:20:34 Rep. Marty Malone
10:20:55 Rep. Sherry Essmann-R
10:21:29 Vice Chair Mark Thane
10:22:30 Rep. Sherry Essmann-R
10:23:33 Rep. Tanner Smith
10:24:13 Rep. Sherry Essmann-R
10:25:46 Rep. Scot Kerns
10:26:13 Bob Olson, Montana Hospital Association

10:27:08 Rep. Kim Abbott left the meeting.
10:27:40 Rep. Dave Fern
10:27:58 Rep. Scot Kerns
10:28:51 Chair Paul Fielder
10:29:04 Bob Olson, Montana Hospital Association
10:32:02 Rep. Scot Kerns
10:32:28 Vice Chair Tom Welch
10:32:44 Bob Olson, Montana Hospital Association
10:33:10 Vice Chair Mark Thane
10:33:43 Chair Paul Fielder
10:34:39 Rep. Scot Kerns

Closing Statement:

10:37:32 Rep. Sherry Essmann (R), HD 52, closed the hearing on HB 391.

10:41:46 **Recessed**

11:04:32 **Reconvened**

EXECUTIVE ACTION ON HB 118 - Revise warrant of distraint as statewide lien for certain funds

11:04:48 **Motion:** Rep. Brad Barker moved that **HB 118 DO PASS.**

11:05:15 **Motion:** Rep. Brad Barker moved that **HB 118 BE AMENDED.**

Discussion:

11:06:25 Vice Chair Tom Welch joined the meeting.
11:06:46 Vice Chair Tom Welch
11:06:51 Tony Zammit, Department of Revenue
11:07:34 Rep. Jill Cohenour
11:08:06 Danielle Pennington, Department of Revenue

- 11:08:53 Rep. Jill Cohenour
- 11:08:58 Danielle Pennington, Department of Revenue
- 11:05:15 **Vote:** Motion carried unanimously by voice vote.
- 11:09:14 **Motion:** Rep. Brad Barker moved that **HB 118 DO PASS AS AMENDED.**
- 11:09:14 **Vote:** Motion carried 19 - 2 by voice vote with Rep. Knudsen, Rep. Vinton, voting no.
Rep. Knudsen, Rep. Vinton, By Proxy

EXECUTIVE ACTION ON HB 307 - Provide for tax rebate

- 11:11:36 **Motion:** Vice Chair Tom Welch moved that **HB 307 DO PASS.**

Discussion:

- 11:11:57 Rep. Dave Fern
- 12:00:36 **Substitute Motion:** Rep. Dave Fern moved that **HB 307 TO TABLE.**
- 12:00:36 **Vote:** Substitute Motion carried 12 - 9 by voice vote with Rep. Brewster, Rep. Butcher, Rep. Fielder, Rep. Kerns, Rep. Knudsen, Rep. Malone, Rep. Smith, Rep. Vinton, Rep. Welch, voting no.
Rep. Knudsen, Rep. Vinton, By Proxy

EXECUTIVE ACTION ON HB 318 - Providing housing tax incentives

- 11:13:59 **Motion:** Vice Chair Tom Welch moved that **HB 318 DO PASS.**

Discussion:

- 11:14:21 Rep. Alice Buckley
- 11:15:17 Rep. Scot Kerns
- 12:06:40 **Substitute Motion:** Rep. Scot Kerns moved that **HB 318 TO TABLE.**
- 12:06:40 **Vote:** Substitute Motion carried 14 - 7 by voice vote with Rep. Abbott, Rep. Buckley, Rep. Cohenour, Rep. Fern, Rep. Marler, Rep. Romano, Rep. Thane, voting no.
Rep. Marler, By Proxy

ADJOURNMENT

Adjournment: 12:09:32

Brigitte Bellefleur, Secretary

Additional Documents: [EXHIBIT\(230208TAHaad\)](#)