

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

Call to Order: Chair Paul Fielder-R, on April 14, 2023 at 8:02 AM, in 152

ROLL CALL

Members Present: Rep. Paul Fielder, Chair (R)
Rep. Mark Thane, Vice Chair (D)
Rep. Tom Welch, Vice Chair (R)
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. Joshua Kassmier (R)
Rep. Scot Kerns (R)
Rep. Marty Malone (R)
Rep. Marilyn Marler (D)
Rep. Russel Miner (R)
Rep. George Nikolakakos (R)
Rep. Melissa Romano (D)
Rep. Tanner Smith (R)

Members Excused: Rep. Kim Abbott (D)
Rep. Rhonda Knudsen (R)
Rep. Sue Vinton (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:

SB 442 04/06/2023

SB 510 04/06/2023

SB 522 04/06/2023

SB 540 04/06/2023

Executive Action:

SB 104 BE CONCURRED IN
SB 123 BE CONCURRED IN AS
AMENDED
SB 246 BE CONCURRED IN
SB 303 BE CONCURRED IN
SB 332 BE CONCURRED IN
SB 362 BE CONCURRED IN

HEARING ON SB 510 - Provide property tax incentives for alternative fuel production

Opening Statement:

08:03:39 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 510, Provide property tax incentives for alternative fuel production.

Proponent Testimony:

08:05:06 Dave Galt, Montana Renewables
08:08:10 Ron Colwell, Montana Renewables
08:09:48 Alan Olson, Montana Petroleum Association, (MPA)
08:11:43 Mike Lang, Senator, District 17
08:13:38 Rachel Prevost, Montana Farmers Union

Opponent Testimony:

None

Informational Witness Testimony:

08:15:24 Jered Isom, Department of Revenue
08:15:42 Jill Gallagher, Department of Revenue
08:16:02 Kory Hofland, Department of Revenue

Questions from Committee:

08:16:38 Rep. Jill Cohenour
08:16:50 Ron Colwell, Montana Renewables
08:17:52 Rep. Tanner Smith
08:18:16 Ron Colwell, Montana Renewables
08:18:43 Rep. Edward Butcher
08:18:53 Ron Colwell, Montana Renewables

08:19:44 Rep. Edward Butcher
08:19:52 Ron Colwell, Montana Renewables
08:20:52 Rep. Dave Fern
08:21:24 Dave Galt, Montana Renewables
08:21:48 Rep. Dave Fern
08:21:57 Kory Hofman, DOR

Closing Statement:

08:23:13 Sen. Steve Fitzpatrick (R), SD 10, closed the hearing on SB 510.

HEARING ON SB 442 - Allow marijuana tax revenue to be used for county road maintenance

Opening Statement:

08:25:15 Sen. Mike Lang (R), SD 17, opened the hearing on SB 442, Allow marijuana tax revenue to be used for county road maintenance.

Discussion:

[EXHIBIT\(230414TAHa1\)](#)

Proponent Testimony:

08:30:45 Alan Olson, Montana Petroleum Association, (MPA)
08:31:53 Russ Tempel, Senator, District 14
[EXHIBIT\(230414TAHa2\)](#)
08:32:50 Kenneth Walsh, Representative, District 71
08:33:38 Joette Woods, Commissioner, Liberty County
08:34:26 Joseph Strouff, Commissioner, Custer County
08:35:27 Raylee Honeycutt, Montana Stock Growers Association
08:37:14 John Simple, Montana Green Growers Association
08:37:46 Randy Newberg, Self

08:38:23 Mark Augenes, Nature Conservation

08:39:10 Chris Marchion, Anaconda Sportsmen

08:40:41 Mark Lambrecht, Montana Electric Cooperatives Association

08:41:38 Norane Appling-Freistadt, Self

08:43:23 Nicole Rolf, Montana Farm Bureau Federation, (MFBF)

08:44:34 Pat Bousliman, Montana Association of Land Trust

08:45:07 Blake Henning, Rocky Mountain Elk Foundation

08:45:53 Ethan Kohoutek, Montana Brewers Association, (MBA)

08:46:28 John Johnson, Local 400 Operators

08:46:59 Greg Chilcott, Montana Association of Counties, Ravalli County

08:48:00 Noah Marion, Wild Montana

[EXHIBIT\(230414TAHa3\)](#)

08:48:59 Steve Platt, Helena Hunters and Anglers

08:49:45 Jocelyn Leroux, Montana Conservation Voters

08:50:12 Darryl James, Montana Infrastructure Coalition

08:51:16 Charlie McCarthy, Self

08:51:54 Shelby DeMars, Montana Association of Oil, Gas and Coal Counties

08:53:04 Roger Hagan, Montana Department of the American Legion

08:53:36 Karen Stevenson, Self

08:54:43 Patrick Plantenberg, Montana Native Plant Society

08:55:10 Amy Seaman, Montana Audubon

08:56:12 Charles Robison, Montana Chamber of Commerce

08:56:50 Stacy Anderson, Montana Primary Care Association

08:57:49 Ben Lamb, Montana Citizens Elk Management Coalition

08:58:54 Elma Windbury, Self
09:00:45 Doug Krings, Self
09:02:25 Mike Mershon, Self
09:03:00 Meghan Wirth, Self
09:03:47 Todd Devlin, Montana Association of Counties, (MACo)
09:04:42 Andrew McKean, Self
09:05:35 Mark Morse, Commissioner, Yellowstone County
09:06:18 Catherine Nolan, Self
09:07:48 John Sullivan, Montana Chapter of Back Country Hunters and Anglers
09:09:03 Justin Schaaf, Self
09:09:39 Gordon Oelkers, Commissioner, Roosevelt County
09:10:27 Kathleen Hadley, Self
09:12:04 Richard Dunbar, Commissioner, Phillips County
09:13:07 Zelig Lorenzana, Self
09:15:00 Jami Daehn, Self

Opponent Testimony:

09:16:11 Dustin Temple, Fish, Wildlife and Parks, (FWP)

Informational Witness Testimony:

None

Questions from Committee:

09:17:52 Rep. Jill Cohenour
09:18:15 Dustin Temple, FWP
09:18:34 Rep. Dave Fern
09:19:00 Dustin Temple, FWP
09:19:08 Rep. Edward Butcher

09:19:56 Sen. Mike Lang-R

09:21:11 Rep. Tanner Smith

09:21:52 Sen. Mike Lang-R

Closing Statement:

09:23:05 Sen. Mike Lang (R), SD 17, closed the hearing on SB 442.

HEARING ON SB 522 - Provide hotels with grants to shelter victims of violence and human trafficking

Opening Statement:

09:25:53 Sen. Daniel Zolnikov (R), SD 45, opened the hearing on SB 522, Provide hotels with grants to shelter victims of violence and human trafficking.

Proponent Testimony:

09:33:16 Stewart Doggett, Montana Lodging Hospitality Association

09:35:06 Alex Sterhan, Montana Department of Justice, (MDOJ)

09:36:39 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence, (MCADSV)

09:41:34 Melissa Mitton, American Hotel and Lodging Association, (MHLA)

Opponent Testimony:

None

Informational Witness Testimony:

09:44:01 Mandy Rambo, Montana Department of Commerce

Questions from Committee:

09:44:28 Rep. Edward Butcher

09:45:13 Alex Sterhan, DOJ

09:46:06 Rep. Edward Butcher

09:46:44 Alex Sterhan, DOJ

09:47:20 Chair Paul Fielder
09:47:35 Sen. Daniel Zolnikov-R
09:49:33 Chair Paul Fielder
09:50:42 Sen. Daniel Zolnikov-R
09:50:45 Chair Paul Fielder
09:50:59 Mandy Rambo, Commerce
09:51:53 Alex Sterhan, DOJ
09:52:34 Vice Chair Mark Thane
09:53:07 Sen. Daniel Zolnikov-R
09:55:02 Rep. Scot Kerns
09:55:17 Sen. Daniel Zolnikov-R
09:56:05 Rep. Dave Fern
09:56:31 Sen. Daniel Zolnikov-R
09:57:16 Rep. Jill Cohenour
09:58:13 Kelsen Young, MCADSV
10:01:03 Rep. Scot Kerns
10:01:26 Megan Moore
10:02:01 Rep. Scot Kerns
10:02:14 Megan Moore
10:02:41 Rep. Sherry Essmann
10:03:55 Sen. Daniel Zolnikov-R
10:04:20 Rep. Sherry Essmann
10:04:30 Alex Sterhan, DOJ

Closing Statement:

10:05:04 Sen. Daniel Zolnikov (R), SD 45, closed the hearing on SB 522.

HEARING ON SB 540 - Revise allowable state-funded tourism promotion laws

Opening Statement:

10:08:08 Sen. Daniel Zolnikov (R), SD 45, opened the hearing on SB 540, Revise allowable state-funded tourism promotion laws.

Proponent Testimony:

10:18:06 Racene Friede, Glacier County/Tourism Matters
10:20:53 Stewart Doggett, Montana Lodging and Hospitality Association
10:22:47 Joshua Gennari, Selway Studios
10:24:44 Amy Grmoljez, Montana Travel Association
10:25:55 Mandy Rambo, Montana Department of Commerce
10:27:57 Drew Giger, Montana Car Rental Association
10:28:48 Charles Robison, Montana Department of Commerce
10:29:13 Brenda Maas, Visit Southeast Montana
10:31:38 Scott Osterman, Montana Department of Commerce
10:32:51 Dan Brooks, Billings Chamber of Commerce
10:33:42 Kris King, Explore Livingston Coalition (CVB, TBID, LBID)

Opponent Testimony:

10:35:20 Jim Ward, Self
10:38:25 Tiana Albery, Self
10:40:03 Emily Rasmuss-Jones, Self
10:42:17 Julie Mac, GMAC Productions
10:44:50 Lynn-Wood Fields, Self

Informational Witness Testimony:

10:45:50 Jennifer Pelej, Montana Department of Commerce

Questions from Committee:

10:46:31 Rep. Jill Cohenour
10:46:51 Sen. Daniel Zolnikov-R
10:47:10 Rep. Scot Kerns
10:49:12 Sen. Daniel Zolnikov-R
10:51:38 Rep. Marty Malone
10:51:58 Scott Osterman, Commerce
10:53:40 Rep. Marilyn Marler
10:54:05 Sen. Daniel Zolnikov-R
10:55:04 Rep. Marilyn Marler
10:55:15 Sen. Daniel Zolnikov-R
10:55:30 Chair Paul Fielder
10:56:12 Jim Ward
10:56:36 Rep. Jill Cohenour
10:56:54 Mandy Rambo, Commerce
10:58:08 Rep. Scot Kerns
10:58:59 Scott Osterman, Commerce
11:00:50 Rep. Edward Butcher
11:02:24 Scott Osterman, Commerce
11:03:45 Rep. Sherry Essmann
11:04:41 Brenda Maas, Visit Southeast Montana

Closing Statement:

11:06:48 Sen. Daniel Zolnikov (R), SD 45, closed the hearing on SB 540.

11:10:33 **Recessed**

11:36:15 **Reconvened**

EXECUTIVE ACTION ON SB 104 - Exempt retired military pensions from state income tax

11:36:44 **Motion:** Vice Chair Tom Welch moved that **SB 104 BE CONCURRED IN.**

Discussion:

11:37:29 Rep. Scot Kerns

11:38:17 Vice Chair Mark Thane

11:36:44 **Vote:** Motion carried 17 - 4 by voice vote with Rep. Abbott, Rep. Buckley, Rep. Marler, Rep. Thane, voting no.
Rep. Abbott, Rep. Buckley, By Proxy

11:36:44 **Carrier Assigned:** Rep. Scot Kerns

EXECUTIVE ACTION ON SB 123 - Require ballot for bond election to estimate additional taxes for residence

11:40:20 **Motion:** Vice Chair Tom Welch moved that **SB 123 BE CONCURRED IN.**

11:40:54 **Motion:** Vice Chair Tom Welch moved that **SB 123 BE AMENDED.**

11:40:54 **Vote:** Motion carried unanimously by voice vote.

11:43:09 **Motion:** Vice Chair Tom Welch moved that **SB 123 BE CONCURRED IN AS AMENDED.**

11:43:09 **Vote:** Motion carried unanimously by voice vote.

11:43:09 **Carrier Assigned:** Rep. Sherry Essmann

EXECUTIVE ACTION ON SB 246 - Revise corporate income tax water's-edge election laws

11:44:37 **Motion:** Vice Chair Tom Welch moved that **SB 246 BE CONCURRED IN.**

11:44:37 **Vote:** Motion carried 20 - 1 by voice vote with Rep. Nikolakakos, voting no.
Rep. Nikolakakos, By Proxy

11:44:37 **Carrier Assigned:** Rep. Brad Barker

EXECUTIVE ACTION ON SB 303 - Revise withholding penalties for certain taxes

11:45:52 **Motion:** Vice Chair Tom Welch moved that **SB 303 BE CONCURRED IN.**

11:45:52 **Vote:** Motion carried unanimously by voice vote.

11:45:52 **Carrier Assigned:** Rep. Marty Malone

EXECUTIVE ACTION ON SB 332 - Require property tax increase information to be included in budget discussions

11:47:11 **Motion:** Vice Chair Tom Welch moved that **SB 332 BE CONCURRED IN.**

11:47:11 **Vote:** Motion carried 17 - 4 by roll call vote with Rep. Abbott, Rep. Buckley, Rep. Romano, Rep. Thane, voting no.
Rep. Abbott, Rep. Buckley, By Proxy

11:47:11 **Carrier Assigned:** Rep. Larry Brewster

EXECUTIVE ACTION ON SB 362 - Eliminate property tax statute of limitations on refunds

11:49:49 **Motion:** Chair Paul Fielder moved that **SB 362 BE CONCURRED IN.**

11:49:49 **Vote:** Motion carried 15 - 6 by roll call vote with Rep. Butcher, Rep. Essmann, Rep. Fielder, Rep. Kerns, Rep. Malone, Rep. Vinton, voting no.

11:49:49 **Carrier Assigned:** Rep. Mark Thane

ADJOURNMENT

Adjournment: 11:54:22

Brigitte Bellefleur, Secretary

Additional Documents: [EXHIBIT\(230414TAHaad\)](#)