

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

Call to Order: Chair Paul Fielder-R, on April 17, 2023 at 9:02 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. Scot Kerns (R)
Rep. Rhonda Knudsen (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)
Rep. Sue Vinton (R)

Members Excused: Rep. Kim Abbott (D)
Rep. Joshua Kassmier (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 122 04/17/2023

SB 253 04/17/2023

SB 442 04/17/2023

SB 505 04/17/2023
SB 506 04/17/2023
SB 510 04/17/2023
SB 522 04/17/2023
SB 524 04/17/2023
SB 529 04/17/2023
SB 530 04/17/2023
SB 540 04/17/2023
SB 550 04/17/2023
SB 554 04/17/2023
SB 555 04/17/2023

Executive Action:

SB 14
SB 122
SB 253
SB 442
SB 505
SB 506
SB 510
SB 522
SB 524 TO TABLE
SB 529
SB 530
SB 540
SB 550
SB 554
SB 555

09:04:20 **Committee Discussion:** Chair Fielder

09:08:38 **Recessed**

10:14:16 **Reconvened**

EXECUTIVE ACTION ON SB 14 - Revise MEDIA Act film credit cap

10:15:22 **Motion:** Chair Paul Fielder moved that **SB 14 BE CONCURRED IN.**

Discussion:

10:15:57 Rep. Brad Barker

10:16:03 **Motion:** Rep. Brad Barker moved that **SB 14 BE AMENDED.**

Discussion:

10:17:28 Rep. Scot Kerns

10:16:03 **Vote:** Motion carried 12 - 9 by voice vote with Rep. Abbott, Rep. Brewster, Rep. Butcher, Rep. Essmann, Rep. Fielder, Rep. Knudsen, Rep. Malone, Rep. Smith, Rep. Vinton, voting no.
Rep. Abbott, By Proxy

10:19:26 **Motion:** Rep. Brad Barker moved that **SB 14 BE AMENDED.**

Discussion:

10:20:14 Rep. Dave Fern

10:20:48 Rep. Brad Barker

10:21:08 Rep. Dave Fern

10:21:26 Megan Moore

10:19:26 **Vote:** Motion carried 19 - 2 by voice vote with Rep. Abbott, Rep. Knudsen, voting no.
Rep. Abbott, By Proxy

10:23:05 **Motion:** Vice Chair Tom Welch moved that **SB 14 BE CONCURRED IN AS AMENDED.**

10:23:05 **Vote:** Motion carried 17 - 4 by roll call vote with Rep. Abbott, Rep. Buckley, Rep. Essmann, Rep. Knudsen, voting no.
Rep. Abbott, By Proxy

10:23:05 **Carrier Assigned:** Rep. Brad Barker

EXECUTIVE ACTION ON SB 122 - Revise cigar tax based on a fixed amount per cigar

10:25:32 **Motion:** Vice Chair Tom Welch moved that **SB 122 BE CONCURRED IN.**

10:25:43 **Motion:** Rep. Jill Cohenour moved that **SB 122 BE AMENDED.**

Discussion:

10:26:28 Rep. Brad Barker

10:27:08 Rep. Tanner Smith

10:27:22 Vice Chair Mark Thane

10:25:43 **Vote:** Motion failed 13 - 8 by voice vote with Rep. Abbott, Rep. Buckley, Rep. Cohenour, Rep. Fern, Rep. Marler, Rep. Miner, Rep. Romano, Rep. Thane, voting yes.
Rep. Abbott, By Proxy

10:28:53 **Motion:** Chair Paul Fielder moved that **SB 122 BE CONCURRED IN.**

10:28:53 **Vote:** Motion carried 12 - 9 by voice vote with Rep. Abbott, Rep. Buckley, Rep. Cohenour, Rep. Essmann, Rep. Fern, Rep. Marler, Rep. Miner, Rep. Romano, Rep. Thane, voting no.
Rep. Abbott, By Proxy

10:28:53 **Carrier Assigned:** Rep. Brad Barker

EXECUTIVE ACTION ON SB 253 - Revise contractor's gross receipts tax

10:30:43 **Motion:** Vice Chair Tom Welch moved that **SB 253 BE CONCURRED IN.**

10:31:00 **Motion:** Rep. Jill Cohenour moved that **SB 253 BE AMENDED.**

Discussion:

10:31:17 Rep. Jill Cohenour

10:33:30 Megan Moore

10:34:00 Rep. Scot Kerns

10:34:35 Megan Moore

10:35:10 Rep. Scot Kerns

10:35:24 Rep. Sue Vinton

10:35:56 Rep. Jill Cohenour

12:42:44 **Vote:** Motion failed 14 - 7 by voice vote with Rep. Abbott, Rep. Buckley, Rep. Cohenour, Rep. Fern, Rep. Marler, Rep. Romano, Rep. Thane, voting yes.
Rep. Abbott, By Proxy

10:39:03 **Motion:** Vice Chair Tom Welch moved that **SB 253 BE CONCURRED IN.**

Discussion:

10:39:03 Rep. Tanner Smith

10:39:46 Rep. Scot Kerns

10:40:03 Chair Paul Fielder

10:40:10 Rep. Jill Cohenour

12:43:33 **Vote:** Motion carried unanimously by voice vote.

10:39:03 **Carrier Assigned:** Rep. George Nikolakakos

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

10:43:06 **Motion:** Vice Chair Tom Welch moved that **SB 442 BE CONCURRED IN.**

10:43:20 **Motion:** Vice Chair Tom Welch moved that **SB 442 BE AMENDED.**

10:43:20 **Vote:** Motion carried 18 - 3 by voice vote with Rep. Barker, Rep. Nikolakakos, Rep. Smith, voting no.

10:46:03 **Motion:** Vice Chair Tom Welch moved that **SB 442 BE CONCURRED IN AS AMENDED.**

Discussion:

10:46:19 Rep. Edward Butcher

10:46:51 Rep. Marty Malone

10:46:58 Rep. Tanner Smith

10:47:35 Rep. Marty Malone

10:47:44 Rep. Dave Fern

10:46:03 **Vote:** Motion carried 17 - 4 by voice vote with Rep. Barker, Rep. Kerns, Rep. Nikolakakos, Rep. Smith, voting no.

10:46:03 **Carrier Assigned:** Rep. Marty Malone

EXECUTIVE ACTION ON SB 505 - Revise tax increment calculation for districts that use tax increment financing

10:50:05 **Motion:** Vice Chair Tom Welch moved that **SB 505 BE CONCURRED IN.**

Discussion:

10:50:27 Vice Chair Mark Thane

10:50:05 **Vote:** Motion carried unanimously by voice vote.

10:50:05 **Carrier Assigned:** Rep. Scot Kerns

EXECUTIVE ACTION ON SB 506 - Increase and repeal termination of Montana charitable endowment tax credit

10:51:32 **Motion:** Vice Chair Tom Welch moved that **SB 506 BE CONCURRED IN.**

Discussion:

10:52:04 Rep. Scot Kerns

10:52:42 Rep. Marty Malone

10:53:13 Rep. Jill Cohenour

10:54:00 Vice Chair Tom Welch

10:51:32 **Vote:** Motion carried 17 - 4 by voice vote with Rep. Essmann, Rep. Kerns, Rep. Knudsen, Rep. Smith, voting no.

10:51:32 **Carrier Assigned:** Rep. Tom Welch

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

10:55:53 **Motion:** Vice Chair Tom Welch moved that **SB 510 BE CONCURRED IN.**

Discussion:

10:56:12 Rep. Marilyn Marler

10:55:53 **Vote:** Motion carried unanimously by voice vote.

10:55:53 **Carrier Assigned:** Rep. Alice Buckley

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

10:57:52 **Motion:** Vice Chair Tom Welch moved that **SB 522 BE CONCURRED IN.**

Discussion:

10:58:08 Rep. Jill Cohenour

- 10:58:43 **Motion:** Vice Chair Tom Welch moved that **SB 522 BE AMENDED.**
- 10:58:43 **Vote:** Motion carried unanimously by voice vote.
- 10:59:43 **Motion:** Vice Chair Tom Welch moved that **SB 522 BE CONCURRED IN AS AMENDED.**
- 10:59:43 **Vote:** Motion carried unanimously by voice vote.
- 10:59:43 **Carrier Assigned:** Rep. Jill Cohenour

EXECUTIVE ACTION ON SB 524 - Revise unrelated business taxable income to include certain legal fees

- 11:00:42 **Motion:** Vice Chair Tom Welch moved that **SB 524 BE CONCURRED IN.**
- 11:01:08 **Motion:** Rep. Scot Kerns moved that **SB 524 TO TABLE.**
- 11:01:08 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 529 - Provide property tax exemption for wireless infrastructure

- 11:01:45 **Motion:** Vice Chair Tom Welch moved that **SB 529 BE CONCURRED IN.**
- 11:02:07 **Motion:** Vice Chair Tom Welch moved that **SB 529 BE AMENDED.**

Discussion:

- 11:02:50 Vice Chair Tom Welch
- 11:02:07 **Vote:** Motion carried 17 - 4 by voice vote with Rep. Abbott, Rep. Marler, Rep. Romano, Rep. Thane, voting no.
Rep. Abbott, Rep. Romano, By Proxy
- 11:04:32 **Motion:** Vice Chair Tom Welch moved that **SB 529 BE CONCURRED IN AS AMENDED.**

Discussion:

- 11:04:57 Rep. Marty Malone
- 11:05:11 Megan Moore
- 11:05:17 Rep. Marty Malone
- 11:05:46 Rep. Marilyn Marler
- 11:04:32 **Vote:** Motion carried 14 - 7 by voice vote with Rep. Abbott, Rep. Buckley, Rep. Cohenour, Rep. Malone, Rep. Marler, Rep. Romano, Rep. Thane, voting no.
Rep. Abbott, Rep. Romano, By Proxy

11:04:32 **Carrier Assigned:** Rep. Tom Welch

EXECUTIVE ACTION ON SB 530 - Generally revise taxation of new, expanded, or improved industrial property

11:08:14 **Motion:** Vice Chair Tom Welch moved that **SB 530 BE CONCURRED IN.**

Discussion:

11:09:30 Rep. Edward Butcher

11:09:36 **Motion:** Rep. Edward Butcher moved that **SB 530 BE AMENDED.**

Discussion:

11:09:57 Rep. Edward Butcher

11:09:36 **Vote:** Motion carried unanimously by voice vote.

11:11:04 **Motion:** Vice Chair Tom Welch moved that **SB 530 BE CONCURRED IN AS AMENDED.**

11:11:04 **Vote:** Motion carried 19 - 2 by voice vote with Rep. Cohenour, Rep. Marler, voting no.

11:11:04 **Carrier Assigned:** Rep. Tom Welch

EXECUTIVE ACTION ON SB 540 - Revise allowable state-funded tourism promotion laws

11:12:14 **Motion:** Vice Chair Tom Welch moved that **SB 540 BE CONCURRED IN.**

11:12:46 **Motion:** Rep. Jill Cohenour moved that **SB 540 BE AMENDED.**

11:12:46 **Vote:** Motion carried 19 - 1 by voice vote with Rep. Essmann, voting no.

11:14:12 **Motion:** Vice Chair Tom Welch moved that **SB 540 BE CONCURRED IN AS AMENDED.**

Discussion:

11:14:28 Rep. Marty Malone

11:14:30 Rep. Sherry Essmann

11:14:53 Rep. Marilyn Marler

11:17:03 Rep. Brad Barker

11:14:12 **Vote:** Motion carried 20 - 1 by voice vote with Rep. Knudsen, voting no.

11:14:12 **Carrier Assigned:** Rep. Marilyn Marler

EXECUTIVE ACTION ON SB 550 - Generally revise income tax laws and clarify income tax reform provisions

11:17:34 **Motion:** Vice Chair Tom Welch moved that **SB 550 BE CONCURRED IN.**

11:18:02 **Motion:** Vice Chair Tom Welch moved that **SB 550 BE AMENDED.**

Discussion:

11:18:24 Megan Moore

11:18:55 Rep. Marty Malone

11:18:02 **Vote:** Motion carried unanimously by voice vote.

11:19:42 **Motion:** Vice Chair Tom Welch moved that **SB 550 BE CONCURRED IN AS AMENDED.**

11:19:42 **Vote:** Motion carried 20 - 1 by voice vote with Rep. Buckley, voting no.

11:19:42 **Carrier Assigned:** Rep. Mark Thane

EXECUTIVE ACTION ON SB 554 - Provide optional pass-through entity tax with refundable credit

11:20:55 **Motion:** Vice Chair Tom Welch moved that **SB 554 BE CONCURRED IN.**

11:20:55 **Vote:** Motion carried unanimously by voice vote.

11:20:55 **Carrier Assigned:** Rep. Scot Kerns

EXECUTIVE ACTION ON SB 555 - Provide for special spousal trusts with property treated as community property

11:22:02 **Motion:** Vice Chair Tom Welch moved that **SB 555 BE CONCURRED IN.**

Discussion:

11:22:19 Rep. Marty Malone

11:22:02 **Vote:** Motion carried 20 - 1 by voice vote with Rep. Buckley, voting no.

11:22:02 **Carrier Assigned:** Rep. Marty Malone

ADJOURNMENT

Adjournment: 11:23:40

Brigitte Bellefleur, Secretary

Additional Documents: [EXHIBIT\(230417TAHaad\)](#)