

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

**Call to Order:** Chair Llew Jones-R, on April 20, 2023 at 10:04 AM, in Room 102

**ROLL CALL**

**Members Present:** Rep. Llew Jones, Chair (R)  
Rep. Bob Keenan, Vice Chair (R)  
Rep. David Bedey (R)  
Rep. Michele Binkley (R)  
Rep. Terry Falk (R)  
Rep. John Fitzpatrick (R)  
Rep. Naarah Hastings (R)  
Rep. Lyn Hellegaard (R)  
Rep. Bill Mercer (R)  
Rep. Terry Moore (R)  
Rep. Fiona Nave (R)  
Rep. Joe Read (R)  
Rep. Sharon Stewart Peregoy (D)  
Rep. Paul Tuss (D)

**Members Excused:** Rep. Mary Caferro (D)  
Rep. Jane Gillette (R)  
Rep. Jim Hamilton (D)  
Rep. Mike Hopkins (R)  
Rep. Connie Keogh (D)  
Rep. Emma Kerr-Carpenter (D)  
Rep. Matt Regier (R)  
Rep. Jerry Schillinger (R)  
Rep. Jonathan Windy Boy (D)

**Staff Present:** Quinn Holzer, Fiscal Analyst  
Julie Johnson, Research Analyst  
Kathlyn Walker, Secretary

**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:

Executive Action:

SB 3

SB 122 TO TABLE

SB 246 TO TABLE

SB 253

SB 506 TO TABLE

SB 555 TO TABLE

**EXECUTIVE ACTION ON SB 3 - Revise forest land taxation laws**

10:22:12 **Motion:** Vice Chair Bob Keenan moved that **SB 3 BE CONCURRED IN.**

10:22:12 **Vote:** Motion carried unanimously by voice vote.

10:22:12 **Carrier Assigned:** Rep. Tom Welch

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

10:23:55 **Motion:** Vice Chair Bob Keenan moved that **SB 122 BE CONCURRED IN.**

**Discussion:**

10:24:17 Rep. John Fitzpatrick

10:23:55 **Carrier Assigned:** Rep. Brad Barker

10:25:27 **Motion:** Rep. John Fitzpatrick moved that **SB 122 BE AMENDED.**

**Discussion:**

10:25:34 Rep. Bill Mercer

10:25:42 Rep. John Fitzpatrick

10:25:51 Rep. Jim Hamilton

10:26:51 Vice Chair Mary Caferro

10:27:38 Chair Llew Jones

10:25:27 **Vote:** Motion carried 16 - 7 by roll call vote with Rep. Caferro, Rep. Hastings, Rep. Hopkins, Rep. Jones, Rep. Mercer, Rep. Regier, Rep. Schillinger, voting no.  
Rep. Hopkins, Rep. Regier, By Proxy

10:29:29 **Motion:** Vice Chair Bob Keenan moved that **SB 122 BE CONCURRED IN AS AMENDED.**

**Discussion:**

10:29:39 Rep. David Bedey

10:31:18 Rep. Emma Kerr-Carpenter

10:31:55 Rep. Fiona Nave

- 10:32:31 Vice Chair Mary Caferro
- 10:29:29 **Vote:** Motion failed 14 - 9 by roll call vote with Rep. Bedey, Rep. Binkley, Rep. Falk, Rep. Fitzpatrick, Rep. Hastings, Rep. Hellegaard, Rep. Jones, Rep. Nave, Rep. Read, voting yes.
- 10:34:23 **Motion:** Chair Llew Jones moved that **SB 122 TO TABLE.**
- 10:34:23 **Vote:** Motion carried 14 - 9 by voice vote with Rep. Bedey, Rep. Binkley, Rep. Falk, Rep. Fitzpatrick, Rep. Hastings, Rep. Hellegaard, Rep. Jones, Rep. Nave, Rep. Read, voting no.

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

- 10:34:47 **Motion:** Vice Chair Bob Keenan moved that **SB 246 BE CONCURRED IN.**
- 10:34:47 **Carrier Assigned:** Rep. Brad Barker
- 10:36:05 **Motion:** Rep. Jim Hamilton moved that **SB 246 BE AMENDED.**

**Discussion:**

- 10:38:32 Vice Chair Bob Keenan
- 10:39:20 Rep. Jim Hamilton
- 10:41:30 Rep. Bill Mercer
- 10:41:56 Rep. Jim Hamilton
- 10:36:13 **Vote:** Motion carried 12 - 11 by roll call vote with Rep. Binkley, Rep. Falk, Rep. Gillette, Rep. Hellegaard, Rep. Hopkins, Rep. Jones, Rep. Keenan, Rep. Mercer, Rep. Nave, Rep. Read, Rep. Regier, voting no.  
Rep. Gillette, Rep. Hopkins, Rep. Regier, By Proxy
- 10:43:08 **Motion:** Vice Chair Bob Keenan moved that **SB 246 BE CONCURRED IN AS AMENDED.**

**Discussion:**

- 10:43:16 Rep. David Bedey
- 10:43:51 Derek Bell, Administrator, Business and Income Tax Division, Department of Revenue (DOR)
- 10:45:08 Rep. Emma Kerr-Carpenter
- 10:45:32 Rose Bender, Montana Budget and Policy Center
- 10:45:57 Vice Chair Bob Keenan
- 10:46:07 **Substitute Motion:** Vice Chair Bob Keenan moved that **SB 246 BE NOT CONCURRED IN.**

10:46:07 **Vote:** Substitute Motion carried 14 - 9 by roll call vote with Rep. Caferro, Rep. Fitzpatrick, Rep. Hamilton, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Moore, Rep. Stewart Peregoy, Rep. Tuss, Rep. Windy Boy, voting no.  
Rep. Windy Boy, By Proxy

10:48:01 **Motion:** Vice Chair Bob Keenan moved that **SB 246 BE CONCURRED IN.**

**Discussion:**

10:48:33 Rep. Jim Hamilton

10:49:37 Vice Chair Mary Caferro

10:48:01 **Vote:** Motion failed 16 - 7 by roll call vote with Rep. Binkley, Rep. Gillette, Rep. Hopkins, Rep. Jones, Rep. Keenan, Rep. Read, Rep. Regier, voting yes.  
Rep. Gillette, Rep. Hopkins, Rep. Regier, By Proxy

10:51:15 **Motion:** Chair Llew Jones moved that **SB 246 TO TABLE.**

10:51:15 **Vote:** Motion carried 16 - 7 by voice vote with Rep. Binkley, Rep. Gillette, Rep. Hopkins, Rep. Jones, Rep. Keenan, Rep. Read, Rep. Regier, voting no.  
Rep. Gillette, Rep. Hopkins, Rep. Regier, By Proxy

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

10:51:26 **Motion:** Vice Chair Bob Keenan moved that **SB 253 BE CONCURRED IN.**

10:51:26 **Vote:** Motion carried unanimously by voice vote.

10:51:26 **Carrier Assigned:** Rep. George Nikolakakos

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

10:51:53 **Motion:** Vice Chair Bob Keenan moved that **SB 506 BE CONCURRED IN.**

**Discussion:**

10:52:11 Rep. Terry Moore

10:54:20 Rep. Jim Hamilton

10:52:28 **Vote:** Motion failed 14 - 9 by roll call vote with Rep. Caferro, Rep. Hamilton, Rep. Jones, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Mercer, Rep. Stewart Peregoy, Rep. Tuss, Rep. Windy Boy, voting yes.  
Rep. Windy Boy, By Proxy

10:51:53 **Carrier Assigned:** Rep. Tom Welch

10:56:16 **Motion:** Chair Llew Jones moved that **SB 506 TO TABLE.**

10:56:16 **Vote:** Motion carried 14 - 9 by voice vote with Rep. Caferro, Rep. Hamilton, Rep. Jones, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Mercer, Rep. Stewart Peregoy, Rep. Tuss, Rep. Windy Boy, voting no.  
Rep. Windy Boy, By Proxy

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

10:56:28 **Motion:** Vice Chair Bob Keenan moved that **SB 555 BE CONCURRED IN.**

**Discussion:**

10:56:43 Rep. Jim Hamilton

10:56:28 **Vote:** Motion failed 12 - 11 by roll call vote with Rep. Bedey, Rep. Binkley, Rep. Gillette, Rep. Hastings, Rep. Hellegaard, Rep. Hopkins, Rep. Jones, Rep. Keenan, Rep. Nave, Rep. Read, Rep. Schillinger, voting yes.  
Rep. Gillette, Rep. Hopkins, By Proxy

10:56:28 **Carrier Assigned:** Rep. Marty Malone

10:57:45 **Motion:** Chair Llew Jones moved that **SB 555 TO TABLE.**

10:57:45 **Vote:** Motion carried 12 - 11 by voice vote with Rep. Bedey, Rep. Binkley, Rep. Gillette, Rep. Hastings, Rep. Hellegaard, Rep. Hopkins, Rep. Jones, Rep. Keenan, Rep. Nave, Rep. Read, Rep. Schillinger, voting no.  
Rep. Gillette, Rep. Hopkins, By Proxy

**ADJOURNMENT**

Adjournment: 11:02:04

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Kathlyn Walker, Secretary

