

MINUTES
MONTANA SENATE
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (S) FINANCE AND CLAIMS

Call to Order: Chair Carl Glimm-R, on March 30, 2023 at 8:07 AM, in 317

ROLL CALL

Members Present: Sen. John Esp, Chair (R)
Sen. Janet Ellis, Vice Chair (D)
Sen. Carl Glimm, Vice Chair (R)
Sen. Dan Bartel (R)
Sen. Mike Cuffe (R)
Sen. John Fuller (R)
Sen. Mike Lang (R)
Sen. Dennis Lenz (R)
Sen. Forrest Mandeville (R)
Sen. Tom McGillvray (R)
Sen. Shelley Vance (R)
Sen. Jeffrey Welborn (R)

Members Excused: Sen. Kenneth Bogner (R)
Sen. Ellie Boldman (D)
Sen. Pat Flowers (D)
Sen. Ryan Lynch (D)
Sen. Shane Morigeau (D)
Sen. Christopher Pope (D)
Sen. Daniel Salomon (R)

Staff Present: Julie Johnson, Research Analyst
Joe Triem, Fiscal Analyst
Cy Walsh, 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:

SB 253 03/29/2023
SB 506 03/28/2023
SB 507 03/28/2023
SB 510 03/28/2023

SB 547 03/27/2023

SB 553 03/27/2023

Executive Action:

SB 506 DO PASS

SB 510 DO PASS

SB 253 DO PASS

SB 507 DO PASS

SB 160 DO PASS AS AMENDED

SB 298 TO TABLE

SB 474 TO TAKE FROM THE
TABLE

SB 442 DO PASS AS AMENDED

SB 145 TO TABLE

SB 553 TO TABLE

HB 81 BE CONCURRED IN

SB 547 TO TABLE

08:08:46 Sen. Lynch has arrived

HEARING ON SB 547 - Revise capital gains tax law to fund teacher salary increases

Opening Statement:

08:09:02 Sen. Shannon O'Brien (D), SD 46, opened the hearing on SB 547, Revise capital gains tax law to fund teacher salary increases.

Proponent Testimony:

08:12:01 Amanda Curtis, Montana Federation of Public Employees (MFPE)

08:14:17 Rob Watson, Coalition of Advocates for Montana's Public Schools (CAMPS)

Opponent Testimony:

08:16:44 Bob Story, Montana Taxpayers Association (MTA)

Informational Witness Testimony:

08:20:47 Paul Taylor, Office of Public Instruction (OPI)

08:21:05 Aaron McNay, Department of Revenue (DOR)

08:21:25 Brian Olsen, Department of Revenue (DOR)

Questions from Committee:

08:22:09 Sen. John Fuller

08:22:23 Bob Story, MTA

08:22:58 Sen. Ryan Lynch

08:23:14 Sen. Shannon O'Brien-D

08:23:54 Chair John Esp

08:24:02 Sen. Shannon O'Brien-D

08:24:15 Sen. Tom McGillvray

08:24:31 Sen. Shannon O'Brien-D

08:25:28 Sen. Mike Cuffe

08:26:05 Sen. Shannon O'Brien-D

08:26:32 Chair John Esp
08:26:47 Vice Chair Janet Ellis
08:26:50 Sen. Shane Morigeau joined the meeting.
08:26:57 Sen. Dennis Lenz left the meeting.
08:27:16 Amanda Curtis, MFPE
08:28:03 Chair John Esp
08:28:11 Amanda Curtis, MFPE

Closing Statement:

08:28:28 Sen. Shannon O'Brien (D), SD 46, closed the hearing on SB 547.

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

Opening Statement:

08:30:36 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 510, Provide property tax incentives for alternative fuel production.

Proponent Testimony:

08:31:45 Dave Galt, Montana Renewables (MR)
08:33:13 Sen. Jeffrey Welborn left the meeting.
08:33:17 Jasmine Krotkov, Montana Farmers Union (MFU)

Opponent Testimony:

None

Informational Witness Testimony:

08:36:00 Jared Isom, Department of Revenue (DOR)
08:36:18 Jill Gallagher, Department of Revenue (DOR)

Questions from Committee:

08:36:55 Sen. Tom McGillvray

08:37:21 Jill Gallagher, DOR
08:39:23 Sen. Mike Cuffe
08:40:54 Dave Galt, DOR
08:44:07 Sen. Mike Lang
08:44:38 Jared Isom, DOR

Closing Statement:

08:46:58 Sen. Steve Fitzpatrick (R), SD 10, closed the hearing on SB 510.

HEARING ON SB 553 - Revise school funding laws related to school facilities

Opening Statement:

08:48:46 Sen. Greg Hertz (R), SD 6, opened the hearing on SB 553, Revise school funding laws related to school facilities.

Proponent Testimony:

08:52:05 Rob Watson, Coalition of Advocates for Montana's Public Schools (CAMPS)

Opponent Testimony:

None

Informational Witness Testimony:

08:53:43 Paul Taylor, Office of Public Instruction (OPI)

Questions from Committee:

08:54:09 Chair John Esp
08:54:10 Sen. Jeffrey Welborn joined the meeting.
08:54:29 Sen. Daniel Salomon joined the meeting.
08:54:37 Sen. Greg Hertz-R
08:55:06 Vice Chair Carl Glimm
08:55:32 Paul Taylor, OPI

08:57:44 Sen. Tom McGillvray

08:58:05 Sen. Greg Hertz-R

Closing Statement:

08:59:48 Sen. Greg Hertz (R), SD 6, closed the hearing on SB 553.

HEARING ON SB 253 - Revise contractor's gross receipts tax

Opening Statement:

09:00:43 Sen. Greg Hertz (R), SD 6, opened the hearing on SB 253, Revise contractor's gross receipts tax.

Proponent Testimony:

None

Opponent Testimony:

None

Informational Witness Testimony:

09:02:27 Jared Isom, Department of Revenue (DOR)

09:02:52 Russ Christenson, Department of Revenue (DOR)

Questions from Committee:

09:03:31 Jared Isom, DOR

09:03:39 Chair John Esp

Closing Statement:

09:03:48 Sen. Greg Hertz (R), SD 6, closed the hearing on SB 253.

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

Opening Statement:

09:04:35 Sen. Greg Hertz (R), SD 6, opened the hearing on SB 506, Increase and repeal termination of Montana charitable endowment tax credit.

Proponent Testimony:

09:07:18 Aidan Myhre, Montana Community Foundation (MCF)

09:09:10 Aimee Grmoljez, Montana Nonprofit Association (MNA)

09:10:52 Matt Kuntz, National Alliance on Mental Illness Montana (NAMI)

Opponent Testimony:

None

Informational Witness Testimony:

09:12:41 Aaron McNay, Department of Revenue (DOR)

09:12:55 Brian Olsen, Department of Revenue (DOR)

Questions from Committee:

09:13:20 Sen. Tom McGillvray

09:13:41 Sen. Greg Hertz-R

Closing Statement:

09:14:13 Sen. Greg Hertz (R), SD 6, closed the hearing on SB 506.

HEARING ON SB 507 - Generally revise tax laws

Opening Statement:

09:15:06 Sen. Daniel Zolnikov (R), SD 45, opened the hearing on SB 507, Generally revise tax laws.

Proponent Testimony:

None

Opponent Testimony:

09:16:33 Rebecca Meyers, Montana County Treasurers Association (MCTA)

Informational Witness Testimony:

09:20:02 Kory Hofland, Department of Revenue (DOR)

Questions from Committee:

09:20:42 Sen. Ryan Lynch

09:21:06 Rebecca Meyers, MCTA

09:22:02 Chair John Esp

09:22:14 Sen. Greg Hertz

Closing Statement:

09:23:00 Sen. Daniel Zolnikov (R), SD 45, closed the hearing on SB 507.

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

09:25:22 **Motion:** Vice Chair Carl Glimm moved that **SB 506 DO PASS.**

Discussion:

09:25:22 Sen. Jeffrey Welborn left the meeting.

09:25:22 Sen. Christopher Pope joined the meeting.

09:25:13 **Vote:** Motion carried 18 - 1 by voice vote with Sen. Esp, voting no.

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

09:26:51 **Motion:** Vice Chair Carl Glimm moved that **SB 510 DO PASS.**

Discussion:

09:27:11 Sen. Dan Bartel

09:27:59 Sen. Jeffrey Welborn joined the meeting.

09:28:30 Sen. Mike Cuffe

09:29:01 Sen. Mike Lang

09:26:13 **Vote:** Motion carried 18 - 1 by voice vote with Sen. Lynch, voting no.

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

09:31:53 **Motion:** Vice Chair Carl Glimm moved that **SB 253 DO PASS.**

09:31:13 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 507 - Generally revise tax laws

09:33:44 **Motion:** Vice Chair Carl Glimm moved that **SB 507 DO PASS.**

Discussion:

09:33:21 Sen. Mike Lang

09:33:13 **Vote:** Motion carried unanimously by voice vote.

09:37:12 **Recessed**

10:10:10 **Reconvened**

EXECUTIVE ACTION ON SB 160 - Generally revise drug and human trafficking laws

10:11:11 **Motion:** Vice Chair Carl Glimm moved that **SB 160 TO TAKE FROM THE TABLE.**

Discussion:

10:11:20 Chair John Esp

10:13:06 Sen. Kenneth Bogner joined the meeting.

10:13:21 Sen. Ryan Lynch left the meeting.

10:14:04 Sen. Shane Morigeau left the meeting.

10:11:13 **Vote:** Motion carried 12 - 3 by roll call vote with Sen. Bogner, Sen. Lenz, Sen. McGillvray, voting no.

10:12:51 **Motion:** Vice Chair Carl Glimm moved that **SB 160 DO PASS.**

10:13:13 **Motion:** Vice Chair Carl Glimm moved that **SB 160 BE AMENDED.**

10:13:13 **Vote:** Motion carried unanimously by voice vote.

10:14:09 **Motion:** Vice Chair Carl Glimm moved that **SB 160 DO PASS AS AMENDED.**

10:14:13 **Vote:** Motion carried 15 - 4 by roll call vote with Sen. Bogner, Sen. Lenz, Sen. Mandeville, Sen. Welborn, voting no.

EXECUTIVE ACTION ON SB 298 - Revise laws related to hunting by disabled persons

- 10:15:40 **Motion:** Vice Chair Carl Glimm moved that **SB 298 DO PASS.**
- 10:15:13 **Vote:** Motion failed 10 - 9 by roll call vote with Sen. Bogner, Sen. Cuffe, Sen. Esp, Sen. Fuller, Sen. Glimm, Sen. Mandeville, Sen. McGillvray, Sen. Salomon, Sen. Welborn, voting yes.
- 10:16:47 **Motion:** Vice Chair Carl Glimm moved that **SB 298 TO TABLE.**
- 10:16:13 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 474 - Generally revise laws pertaining to sports betting

- 10:17:08 **Motion:** Vice Chair Carl Glimm moved that **SB 474 TO TAKE FROM THE TABLE.**
- 10:17:13 **Vote:** Motion failed 8 - 7 by roll call vote with Sen. Bartel, Sen. Bogner, Sen. Fuller, Sen. Glimm, Sen. Mandeville, Sen. Pope, Sen. Welborn, voting yes.

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

- 10:20:33 **Motion:** Sen. Mike Lang moved that **SB 442 DO PASS.**
- Discussion:**
- 10:24:05 Sen. Kenneth Bogner left the meeting.
- 10:20:40 **Motion:** Sen. Mike Lang moved that **SB 442 BE AMENDED.**
[EXHIBIT\(230330FCSa1\)](#)
- 10:20:13 **Vote:** Motion carried unanimously by voice vote.
- 10:23:44 **Motion:** Vice Chair Carl Glimm moved that **SB 442 DO PASS AS AMENDED.**
- 10:23:13 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 145 - Provide for local distribution of lodging tax revenue

- 10:24:31 **Motion:** Vice Chair Carl Glimm moved that **SB 145 DO PASS.**
- 10:25:30 **Motion:** Vice Chair Carl Glimm moved that **SB 145 BE AMENDED.**
- Discussion:**
- 10:25:58 Sen. Christopher Pope
- 10:26:04 Chair John Esp

10:26:18 Sen. Dan Bartel

10:26:26 Chair John Esp

10:25:13 **Vote:** Motion carried unanimously by voice vote.

10:27:10 **Motion:** Vice Chair Carl Glimm moved that **SB 145 DO PASS AS AMENDED.**

10:27:24 **Motion:** Vice Chair Carl Glimm moved that **SB 145 BE AMENDED.**

Discussion:

10:27:43 Chair John Esp

10:28:46 Sen. Forrest Mandeville

10:28:52 Chair John Esp

10:28:59 Sen. Jeffrey Welborn left the meeting.

10:29:26 Sen. Christopher Pope

10:29:30 Chair John Esp

10:27:13 **Vote:** Motion failed 12 - 7 by roll call vote with Sen. Bartel, Sen. Bogner, Sen. Cuffe, Sen. Esp, Sen. Fuller, Sen. Lang, Sen. Welborn, voting yes.
Sen. Bogner, Sen. Welborn, By Proxy

10:30:33 **Motion:** Vice Chair Carl Glimm moved that **SB 145 DO PASS AS AMENDED.**

10:30:39 **Motion:** Vice Chair Janet Ellis moved that **SB 145 BE AMENDED.**

Discussion:

10:30:58 Vice Chair Janet Ellis

10:31:26 Sen. Dan Bartel

10:31:57 Sen. Forrest Mandeville

10:32:13 Chair John Esp

10:32:34 Sen. Tom McGillvray

10:32:53 Vice Chair Janet Ellis

10:33:28 Sen. Shelley Vance

10:35:00 Vice Chair Janet Ellis

10:35:18 Sen. Jeffrey Welborn joined the meeting.

10:35:25 Sen. Tom McGillvray

10:30:13 **Vote:** Motion failed 11 - 8 by roll call vote with Sen. Boldman, Sen. Cuffe, Sen. Ellis, Sen. Flowers, Sen. Lynch, Sen. Morigeau, Sen. Pope, Sen.

Welborn, voting yes.

Sen. Boldman, Sen. Flowers, Sen. Lynch, Sen. Morigeau, By Proxy

10:36:57 **Motion:** Vice Chair Carl Glimm moved that **SB 145 DO PASS AS AMENDED.**

10:37:03 **Motion:** Vice Chair Carl Glimm moved that **SB 145 BE AMENDED.**

Discussion:

10:37:10 Chair John Esp

10:37:13 **Vote:** Motion carried 12 - 7 by roll call vote with Sen. Boldman, Sen. Ellis, Sen. Flowers, Sen. Lynch, Sen. Mandeville, Sen. Morigeau, Sen. Pope, voting no.

Sen. Boldman, Sen. Flowers, Sen. Lynch, Sen. Morigeau, By Proxy

10:38:52 **Motion:** Vice Chair Carl Glimm moved that **SB 145 DO PASS AS AMENDED.**

Discussion:

10:39:01 Sen. Mike Cuffe

10:39:39 Chair John Esp

10:38:13 **Vote:** Motion failed 10 - 9 by roll call vote with Sen. Bartel, Sen. Bogner, Sen. Flowers, Sen. Fuller, Sen. Glimm, Sen. Mandeville, Sen. Pope, Sen. Vance, Sen. Welborn, voting yes.

Sen. Bogner, Sen. Flowers, By Proxy

10:40:40 **Motion:** Vice Chair Carl Glimm moved that **SB 145 TO TABLE.**

10:40:13 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 553 - Revise school funding laws related to school facilities

10:41:06 **Motion:** Vice Chair Carl Glimm moved that **SB 553 DO PASS.**

Discussion:

10:41:21 Chair John Esp

10:41:13 **Vote:** Motion failed 16 - 3 by voice vote with Sen. Esp, Sen. Mandeville, Sen. Welborn, voting yes.

10:42:29 **Motion:** Vice Chair Carl Glimm moved that **SB 553 TO TABLE.**

10:42:13 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 81 - Create new state veterans' cemetery

10:42:46 **Motion:** Vice Chair Carl Glimm moved that **HB 81 TO TAKE FROM THE TABLE.**

Discussion:

10:43:06 Vice Chair Janet Ellis

10:42:13 **Vote:** Motion carried 9 - 5 by roll call vote with Sen. Ellis, Sen. Esp, Sen. Lang, Sen. Pope, Sen. Welborn, voting no.

10:44:51 **Motion:** Vice Chair Carl Glimm moved that **HB 81 BE CONCURRED IN.**

Discussion:

10:45:04 Sen. Dennis Lenz

10:45:40 Sen. Mike Cuffe

10:45:51 Sen. Jeffrey Welborn

10:44:13 **Vote:** Motion carried 10 - 9 by roll call vote with Sen. Boldman, Sen. Ellis, Sen. Esp, Sen. Flowers, Sen. Lang, Sen. Lynch, Sen. Morigeau, Sen. Pope, Sen. Welborn, voting no.
Sen. Boldman, Sen. Flowers, Sen. Lynch, Sen. Morigeau, By Proxy

EXECUTIVE ACTION ON SB 547 - Revise capital gains tax law to fund teacher salary increases

10:47:42 **Motion:** Vice Chair Carl Glimm moved that **SB 547 DO PASS.**

Discussion:

10:48:05 Sen. Ryan Lynch joined the meeting.

10:47:13 **Vote:** Motion failed 14 - 5 by roll call vote with Sen. Boldman, Sen. Ellis, Sen. Flowers, Sen. Morigeau, Sen. Pope, voting yes.
Sen. Boldman, Sen. Flowers, Sen. Morigeau, By Proxy

10:49:05 **Motion:** Vice Chair Carl Glimm moved that **SB 547 TO TABLE.**

10:49:13 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 10:49:55

Cy Walsh, Secretary

Additional Documents: [EXHIBIT\(230330FCSaad\)](#)