

**CITY OF MISSOULA**  
**LOBBYING REPORT**  
**WEEK ENDING 2/15/19**

**Bills/Activities This Week:**

**A Busy week. This section in this week's report includes actions on bills we've been tracking, as well as new bills introduced that will be up for committee hearings the week of Feb. 18.**

HB481: Revising the clean indoor air act relating to private establishments. OPPOSE. **Hearing scheduled for Feb. 18.** Effort to exempt certain establishments from smoking rules in order to allow creation of private "smoking clubs" that would also serve alcohol. Opponents will likely include tavern association.

SB254: Revise laws regarding chief municipal judges: SUPPORT. **Hearing set for Feb. 20.** Missoula bill to address existing law that requires cities with more than one municipal judge to rotate the "chief" judge position every year. Diane Sands is carrying. Billings and the League are expected to join us to support. No opposition identified.

HB367: Require advisory committee for urban renewal districts using TIFS. STRONG OPPOSE. **Bill TABLED in Committee.** Bill by Rep. Garcia would require advisory. Adds another level. Meaningless since cities and counties already have these in place. League and MACO opposed and we had good turnout from communities and several businesses. Dale Bickell with the City came over to testify against.

HB236: Generally revise building code program laws. SUPPORT. **PASSED House Third Reading 67-30. Transmitted to Senate.** A repeat of efforts two sessions ago to allow local governments with building code enforcement divisions to have two-year reserve accounts, rather than just one year.

HB 194: Revise lodging and rental car taxes including local option. Support. **PASSED House Taxation Feb. 15.** Support per Dale. House Tax hearing set for Jan. 29 at 9 a.m. 152.

SB19: Revise laws related to local government budgeting and accounting. Oppose. **TABLED In Senate Judiciary.** This bill includes new audit requirements that could conflict with financial reporting requirements that are established by the Government Accounting Standards Board. MacDonald stayed out of the room for this very contentious hearing that included accusations of racism. The League is taking the lead. We are confident this bill has enough problems that it will die.

HB379: Establish working animal protection act. OPPOSE. **Hearing Feb. 14.** League took the lead on this. Bill would essentially forbid cities from adopting any ordinances affecting "work" animals, which is just about any animal. MacDonald has discussed with Republican members of the committee and we are fairly confident the bill will not get out of committee. Awaiting executive action.

HB 232: Revise assessment of taxes during condemnation proceedings. OPPOSE. **PASSED House. Transmitted to Senate.** MacDonald opposed along with the League and MACO. There were no supporters. We will continue to oppose and attempt to kill this on the Senate side.

HB372: Increase inflation limitation on government entities for property tax levies. STRONG SUPPORT. **Hearing Feb. 14. 9 a.m. Awaiting executive action.** League is taking the lead on this and will be

coordinating our support. MacDonald meeting with committee members. Will urge members of the committee to support through additional letters from mayor and others.

HB 325: Generally revise firearm laws. OPPOSE. **PASSED House Judiciary. Feb. 15.** Hearing February 1 in House Judiciary. MacDonald testified against, along with the League, MACO and gun safety advocates. The bill appears to be in direct response to the Missoula ordinance that is now being appealed to the state Supreme Court. Bill was amended to remove Section 3, which among other things restores the current standing that having a CCW permit is NOT a defense for carrying in a restricted area. Still oppose.

HB 357: Revise concealed carry laws by initiative: OPPOSE. **PASSED House Judiciary Feb. 15.** Same as above.

HB 192: Revise laws related to privacy in communications. SUPPORT. **PASSED House Judiciary Feb. 15.** Bill has been heavily and repeatedly amended, but nothing at this point that we believe changes things for the city. Reviewed by Nugent. Hearing held Jan. 28. MacDonald did not testify, but has spoken with committee members and is monitoring. Some amendments are being proposed to clean up some language at the request of the ACLU. This is the “revenge porn” bill similar to last session which makes it a crime to post or publish nude photos of a person without that person’s permission.

SB 18: Establish workforce housing tax credits. Support. **PASSED Senate Tax Feb. 15.** Hearing held Jan. 23 in Senate Tax and MacDonald testified along with a variety of housing advocates. A one-page fact sheet and talking points on this bill were provided to MacDonald. This bill has some issues. Leading proponents didn’t explain some of the tax implications well and several key senators, including chair Roger Webb and Sen. Dick Barrett of Missoula, expressed mild skepticism that it could “pencil out.” MacDonald spoke with Barrett after and he wants to support the bill and is trying to work with the sponsors to get information in a format that he can use to also persuade other committee members.

HB483: Generally revise absolute liability laws. Oppose. **First hearing in House Judiciary on Feb. 14.**

### **Bills Tracking and Monitoring**

SB189: Establish a carbon tax and distribute revenue. SUPPORT. **No action since hearing on Feb. 7.** MacDonald testified in favor, along with environmental advocates and several tax reform advocates. Strong opposition from industry and, given the makeup of the committee, it is likely dead.

HB442: Generally revise evidence laws. STRONG OPPOSE. **Hearing scheduled for Feb. 18, 8 a.m. Room 137.**

HB394: Revise property tax appraisal and tax appeal process. SUPPORT. **Hearing scheduled for Feb. 20, 9 a.m. Room 152.**

HB195: Provide for local option luxury sales tax to fund infrastructure. SUPPORT. **Bill DIED in committee.** House Tax hearing held Jan. 30. MacDonald testified in favor and provided informational handout on property tax issues. Councilwoman Gwen Jones joined to support as well. League, mayors and lobbyists from Billings and Bozeman were also there, along with local chambers and the Infrastructure Coalition. The hearing went well. Good testimony and information provided to the committee. The sponsor has

told the committee that he would be open to amendments to address issues that may arise. We make progress on the issue every session, but do not currently hold out much hope of this getting out of House Tax.

HB120: Revise local government authority of certain speed limits. SUPPORT. **Passed House. Transmitted to Senate Highways and Transportation committee Feb. 12.** Hearing was held 1-29 in House Transportation. MacDonald testified in favor, along with MACO and others. The bill simply allows local governments to lower speed limits on highways in “urban” areas. No executive action yet.

HB223: Deter the fraudulent use or theft of taxpayer funded resources. OPPOSE. **Bill withdrawn—likely dead.** MacDonald and others visited with the sponsor to express concerns about the legislation and let her know what she’s attempting to do is already addressed – and in better language – in existing law. As of the date of the hearing, the sponsor confirmed she intended to pull her bill due to the overwhelming concerns raised by local governments, law enforcement and fire lobbyists.

HB15: Revise laws related to nonmotorized vehicle and mobile home disposal. SUPPORT. **PASSED House Transmitted to Senate Feb. 13.**

SB 103: Revise laws on PSC regulation of municipalities. OPPOSE. **TABLED in committee Feb. 12.** Hearing held Jan. 29 in Senate Energy and Telecommunications. MacDonald testified against, along with the League. The hearing was almost uncomfortable as the sponsor’s explanation for the bill seemed to change and didn’t make a lot of sense. He claimed that the intent was not to give the PSC “rate-setting” authority and that the intent was only to give them “oversight” to protect people from bad actors. However, he later said that, in fact, the PSC would have the final say – which seems to indicate that it could set rates (by simply saying ‘no’ to the ones it doesn’t like.) MacDonald and others spoke with Missoula committee members after the hearing, as well as with the sponsor. We would be surprised if this one makes it out of committee.

HB 146: Establish laws regarding sanctuary cities in Montana. Oppose. **PASSED House Judiciary committee. Transmitted to Senate.** Hearing held Feb. 1 Per guidance from the mayor and the league, MacDonald stayed out of the room and monitored and provided information to Lynch with the league. MacDonald has visited with ACLU and others, who are specifically seeking law enforcement support.

HB 147: Referendum to establish sanctuary city laws in Montana. Oppose. **PASSED House Judiciary committee.** Same as above.

HJ 9: Interim study on maintaining public safety while offering addiction treatment. Introduced bill text available electronically January 28. **Tabled in committee on Feb. 8.**

SB 117: Revise highway de-icer laws. Oppose. **PASSED Senate Highways and Transportation. REFERRED TO Senate Finance and Claims committee, hearing on Feb. 14.** Identical to SB 106 in 2017 session. MacDonald testified in opposition along with state Department of Transportation. Supporters included the Montana Logging Association, regarding damage to vehicle components. MacDonald testimony reiterate the fiscal concerns raised by DOT, but concentrated more on the air quality issues in Missoula and the fact that the city has no viable alternatives to mag chloride. The fiscal note arrived in time for the hearing. It is less than previous years, but still substantial. The bill is likely to get out of committee, but as in past sessions, the fiscal note will likely kill it. This is Sen. Brown’s last year in the legislature.

LC3240/now SB 254: Revise laws regarding chief municipal judge. SUPPORT. **Hearing scheduled for Feb. 20, 9 a.m. Room 303.** City of Missoula bill to change existing statute that requires municipalities with more than one municipal judge to alternate who serves as the chief judge. MacDonald has discussed with Billings as well. Billings is reviewing. No bill number yet.

HB 194: Revise lodging and rental car taxes including local option. SUPPORT. **House Tax hearing held Feb. 12.**

SB 13: Allocating supportive housing grant funds to those serving American Indian offenders. HCD awaiting more information on this bill. NO position yet. **TABLED in committee Jan. 18.**

HB 6: Renewable resource grants. Strong support. Dale reviewed. Fiscal note printed. No hearing date set. **No action taken since house Joint Appropriations Subcommittee hearing on Feb. 7.**

HB 16: Establish affordable housing loan program. Support. **Hearing scheduled in Senate taxation for Feb. 20 8 a.m. Room 405.** PASSED House Tax 13-5 as Amended MacDonald testified in SUPPORT at House Tax on 1-11. Met with housing advocates after and traded information in order to assist in tracking this bill as it moves forward. There was no opposition in the committee and very strong support from housing advocates, disability advocates, private lenders, private builders. Still in committee.

HB 47: Generally revise criminal records laws. Monitor. **Bill PASSED both Houses. Enrolling and final preparation process.** MacDonald: Monitoring for Missoula and Montana Newspapers. Bill was in response to unintended consequences of legislation last year that decriminalized certain offenses. At hearing on 1-14, AG has apparently agreed to amendments to clarify that the fingerprinting and mug shots would be ONLY for cases in which a person must be booked into jail. No executive action yet.

HB 125: Limit use of emergency ordinances by local governments. Oppose. **TABLED in committee.** MacDonald has met one-on-one with most members of Senate Local Government to let them know the city opposes. Tim Burton took the lead on this. Missoula and Missoula County stayed out, as did MACO. Continuing to monitor and getting in touch with other committee members. Executive action believed to be on Jan. 21. Currently relatively sure this bill will die in committee. Still awaiting executive action.

HB 134: Revise prostitution statute to include nonpenetrative sex acts. Support. **No action taken since house Judiciary hearing on Jan. 16.** Detective Baker with Missoula spoke on the bill at Dudik's request. MacDonald attended a portion of the hearing, then met with Dudik and Baker after to exchange info and make sure they know he is available in the future. No executive action yet. Bill is likely to pass.

HB 138: Include exposure to prostitution in acts constituting child abuse and neglect. Support. **TABLED in committee.** Detective Baker supporting at request of Dudik. Fiscal note printed. No executive action yet.

SB15: Allow certain state funds to be used for affordable housing infrastructure. Support. **TABLED in Committee.**

SB52: Generally revise laws on sexual assault kits. Strong support. **Passed senate Judiciary on Jan. 16, passed senate Finance and Claims Feb. 8. Referred to House Judiciary Feb. 14.** Formalizes process for submission and requirements for testing sex assault kits. MacDonald testified in support.