

City of Missoula Lobbyist Report for Week of Feb. 14

Committees and Bills Testified:

Continuing to monitor the status of HB2, but this remains very fluid and likely still will undergo dramatic changes before the end of the session. Some “posturing” by both political parties is becoming more evident as this heats up, with Democrats hoping some pressure on several key issues may force Republicans to the table on budget issues. So far, with the Republicans enjoying a strong majority in both houses and a two-thirds majority in the House, there hasn't been a lot of compromise on budget issues showing so far.

House Judiciary, HB 442: Revise concealed weapon permit. Police and prosecutor groups took the lead, but I sat in for some of the testimony. Would have prohibited someone convicted of lesser crimes, such as disorderly conduct from having a permit. Tabled in Committee. We supported.

Senate Business and Labor, SB 269: Exempt certain nonprofit housing developers from manufactured housing provisions. Attended the hearing. Missoula was undecided, but had as a watch. Passed committee and third reading.

House Appropriations, HB 161: Repeal medical marijuana law. This bill earlier passed a separate committee but was referred to appropriations. A “watch” on our list. It passed approps and second reading on the floor. It will most likely get folded into the many other marijuana bills also moving forward.

House Local Government (Tuesday), HB 400: Revise emergency response laws including fee. Testified in opposition. This was just a bad idea that would prohibit local governments from imposing any fees in any situations for responding to auto accidents. Tabled in Committee. HB 403: Revise cluster development law. Testified in support. The bill gives options other than irrevocable conservation easement for setting aside open space. Passed Committee.

Senate Transportation, HB 187: Provide for Montana-made wooden products in highway and road specs. We opposed the original version of this, but it was amended to what we thought was an agreeable version and passed the House. However, the staff bill drafter put the “when appropriate” clause in a spot in the sentence which would have made only certain aspects of the bill discretionary. We worked with the bill sponsor, other lobbyists and the DOT director to verify the intent of the original amendment. The bill sponsor agreed to the change. We can continue to support this version, which will be amended AGAIN before a vote of the committee.

House Judiciary, (Wednesday) HB 381: Criminalize enforcement of certain federal firearms laws; HB 435: Limit police firearm seizure; HB 448: Enact interstate compact for enforcement of firearms freedom laws. Police Chief Mark Muir and other law enforcement took the lead on all these bills with testimony. I was able to catch bits and pieces of the hearing. All of these bills are being pushed by the Montana Shooting Sports Association and Tea Party activists and all are bad. Results are mixed: No committee vote on HB381. HB435 was tabled in committee. HB448 passed committee and full House.

Senate Judiciary, SB 279: Allow legislators and security w/permit to carry weapon into Capitol. Fortunately, this bill was amended and the final version deals only with “legislative security” being allowed to carry firearms. Legislators were removed. The bill has passed the full Senate and is now relatively harmless.

House Appropriations, HB 439: General obligation bonds for state government. Testified in support and worked with the University of Montana to line up other supporters and provide a nice spectrum of support, specifically for the COT in Missoula. Due to time constraints in the committee, our testimony had to be much shorter than planned. No vote yet.

House Transportation, HJ 15: Resolution to increase passenger rail. We support, but did not testify. Ensured that copies of letters in support were delivered to and received by all the committee members.

House Business and Labor, HB 505: Revise workers compensation for certain firefighter conditions. Did not testify, but attended the hearing.

House Judiciary, HB 496: Allowing law enforcement agencies to destroy certain firearms they possess. We support. Bill passed committee and second reading. Chief Mark Muir and other law enforcement headed up the lobbying on this one.

Senate Judiciary, SB 336: Generally revise medical marijuana laws to authorize PTSD for coverage. We opposed, but I was not able to testify due to conflicts. A tie vote in committee means it did not move forward, but could still be brought up for reconsideration.

House Local Government (Thursday), HB 391: Prohibit local initiative from establishing priority of enforcement of state law. Passed. We did not take a strong position on this, although we were asked by several others, including Missoula lawmakers, where we sat. I referred to it as more of a county issue and stayed silent. HB 494: Revise laws relating to subdivision exemptions. The “subdivision for rent or lease bill.” Testified in Support. It needs work and we are continuing that, but we needed to get something out and this version takes care of the most pertinent city issue. HB 510: Revise requirements for organizing a municipality - eliminate 3 mile rule. We opposed. The bill was tabled at the sponsor’s request. HB 522: Extend approval of subdivision application to mutually agreed upon time. Supported. Did not feel our testimony was necessary as this was a good bill with a lot of support. It passed. HB 538: Providing for sale of bonds at public or private sale. HB 542: Revise subdivision and platting act. Testified in opposition. The bill passed with a promise by the bill sponsor to work with opponents on some of the language that is difficult. We’ve agreed to do that, but I remain unconvinced there’s anything we can do to make this a “palatable” bill for Missoula/Missoula County and we may simply choose to continue opposing it. HB 546: Revise laws to prohibit local government competition with private sector. Testified in opposition. Bill was tabled. HB 592: Revise subdivision law - define tract of record - provide exemption from review. Bill was tabled on a tie vote.

Senate Judiciary, SB 344: Enacting the Montana Property Fairness Act. Signed in as opponent and had planned to testify, but made a strategic decision half way through not to based on the direction the conversation was going. I think it was the right move. In the end, the committee tabled the bill.

House Judiciary, HB516: Limiting local ordinances to state protected classes. We opposed. I assisted the ACLU, Montanan Human Rights Network and other opponents in preparing testimony. Dave Strohmaier came over from Missoula and spoke from the city perspective. I was able to attend only portions, but believe that Bob Jaffe may also have been over? Very strong turnout, but this was an unfortunate hearing in several respects. Vitriolic speech by the supporters of the bill and time was so limited that many of the opponents were unable to even enter their names in the record, causing protests by several Missoula lawmakers on the committee. In the end, Rep. Diane Sands used a point of personal privilege to read the names of about 40 people who had signed in hoping to testify against this. Unfortunately, I believe this bill will probably get out of committee and likely will pass the full House if it does.

House Education, HB 558: Revise laws regarding students and firearms in school. We opposed but did not testify. Bill was tabled in committee.

House Human Services, HB559; Generally revise health laws for seasonal establishments. We opposed. Submitted letters to the committee on behalf of the Missoula City/County Health Department, but was unable to testify. The bill passed out of committee unanimously.

Other Direct Lobbying

Spent a great deal of time this week preparing for and lobbying against HB516, including scheduling of speakers, preparation of comments and working with other lobbyists and organizations to get a good cross-section of opponents at the hearing.

Spent quite a bit of time on Friday after Rep. Gordon Hendrick was successful in his “blast motion” to bring HB304 to the full House floor for a vote. Hendrick clearly timed his motion to coincide with the absence of 21 lawmakers, all members of the House Business and Labor Committee, who were in executive session at the time and not allowed to vote. That committee not only included the fellow Republican who made the original committee motion to table the bill, but also Rep. Michele Reinhart as well as several other Missoula representatives. Had those lawmakers been present, it’s almost certain that the blast motion would have fallen short. Calling blast motions with that many absent lawmakers is, while completely allowed, considered by many to be a breach of etiquette and quite a number privately and publicly expressed their disappointment in the move . This bill failed soundly on second reading on Saturday.

While not necessarily “direct lobbying,” I am continuing to monitor and discuss with lawmakers and other lobbyists the many medical marijuana bills. I believe this is another issue that we likely won’t see a final resolution of until late into the second half of the session, as the best parts of all the bills are put together into a final version for a final vote.

Other Activities

None.