

**CITY OF MISSOULA**  
**LOBBYING REPORT**  
**WEEK ENDING 2/1/19**

**Bills This Week:**

HB195: Provide for local option luxury sales tax to fund infrastructure. SUPPORT. 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.

HB236: Generally revise building code program laws. SUPPORT. Hearing held Jan. 31 3 p.m., House Local Government. 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. Aaron Bowman from the city came up Jan. 31 for hearing and was joined by building inspectors and department officials from three other communities. MacDonald also handed out informational sheet from Mike Haynes. No opponents. Bill chances look good this year.

HB120: Revise local government authority of certain speed limits. SUPPORT. 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. 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. Hearing Jan. 24 House Local Government. Awaiting executive action.

SB 103: Revise laws on PSC regulation of municipalities. OPPOSE. Hearing held Jan. 29 in Senate Energy and Telecommunications. MacDonald testified against, along with the League. The sponsor 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 232: Revise assessment of taxes during condemnation proceedings. OPPOSE Hearing Jan. 31 in House Tax. MacDonald opposed along with the League and MACO. There were no supporters. The sponsor

brought up the Mountain Water case, discussed the Supreme Court decision in that case, but did not volunteer his role in that case. MacDonald made sure the committee knew of Mercer's role, opposed the bill, but also made it clear that due to pending litigation on this very issue, the city was being "very careful" not to discuss issues related to that case. Kelly Lynch with the League followed and provided additional information. MACO's Bryson discussed how the bill would complicate who a county sends tax bills to – when the entity is exempt from Title 15. No executive action yet. Unfortunately, the bill is likely to get out of the committee and we'll have to kill it on the Senate side.

HB 146: Establish laws regarding sanctuary cities in Montana. Oppose. 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. Same as above

HB 325: Generally revise firearm laws. OPPOSE. 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.

SB357: Revise concealed carry laws by initiative: OPPOSE. Same as above.

### **Other bills tracking**

HJ 9: Interim study on maintaining public safety while offering addiction treatment. Introduced bill text available electronically January 28.

HB 192: Revise laws related to privacy in communications. SUPPORT. 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 117: Revise highway de-icer laws. Oppose. Bill passed out of Committee 6-4. Headed to the Senate floor Friday. 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 reiterated 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.

SB 18: Establish workforce housing tax credits. Support. Hearing held Jan. 22 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. Unsure when executive action will occur.

LC3240: Revise laws regarding chief municipal judge. SUPPORT. 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 postponed.

SB 13: Allocating supportive housing grant funds to those serving Am Indian offenders. HCD awaiting more information on this bill. NO position yet.

HB 6: Renewable resource grants. Strong support. Dale reviewed. Fiscal note printed. No hearing date set.

HB 16: Establish affordable housing loan program. Support. 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. 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. The bill is related to a stormwater emergency in Bozeman. Continuing to monitor and getting in touch with other committee members. Executive action believed to be on 1-21. Currently relatively sure this bill will die in committee. Still awaiting executive action.

HB 134: Revise prostitution statute to include nonpenetrative sex acts. Support. 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. Detective Baker supporting at request of Dudik. Fiscal note printed. No exec action yet.

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

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

SB18: Establish workforce housing tax credits. Support. We are monitoring and will support. Senate Taxation hearing Jan. 23, 8 a.m. Room 405.

SB19: Revise laws related to local government budgeting and accounting. Oppose. 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. No action yet.

SB52: Generally revise laws on sexual assault kits. Strong support. PASSED JUDICIARY. SENT TO FINANCE AND CLAIMS. Formalizes process for submission and requirements for testing sex assault kits. MacDonald testified in support.