

**CITY OF MISSOULA**  
**LOBBYING REPORT**  
**WEEK ENDING 2/22/19**

**Bills/Activities This Week:**

HB481: Revising the clean indoor air act relating to private establishments. OPPOSE. **Passed Third Reading 52-46. Headed to the Senate.** Effort to exempt certain establishments from smoking rules in order to allow creation of private “smoking clubs” that would also serve alcohol. Need to regroup for the Senate side. This bill popped up and got scheduled very quickly, preventing opponents from being fully prepared. Hoping for better results on the Senate side.

SB254: Revise laws regarding chief municipal judges: SUPPORT. **Bill passed Senate Judiciary on Feb. 21 with a unanimous vote.** MacDonald testified Feb. 20, along with City of Billings and League. 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. No opponents. MacDonald checked with committee members after and don’t expect problems with the bill. Expecting floor vote as early as Saturday, Feb. 23.

HB379: Establish working animal protection act. OPPOSE. **Heavily edited version passed Local Government on an 9-8 vote.** As noted, the bill was heavily amended and removes all of Section 1 and II dealing with local control. Now is simply a “policy statement.” League took the lead on this. Bill would essentially forbid cities from adopting any ordinances affecting “work” animals, which is just about any animal. We may be smart to continue efforts to kill this bill as the policy statement is now in TITLE 81, which is the livestock and agriculture section, and could be used as a citation to push other prohibitions moving forward.

HB236: Generally revise building code program laws. SUPPORT. **Hearing in Senate Local Government Feb. 20. Awaiting executive action.** Some concerns have arisen with members of the Senate committee. MacDonald and the league are attempting to shore up votes. Aaron Bowman testified on Feb. 20. Bill had PASSED House Third Reading 67-30 and was transmitted to Senate. 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 357: Revise concealed carry laws by initiative: OPPOSE. **Passed third reading and transmitted to Senate Feb. 21.** Same as above.

HB 194: Revise lodging and rental car taxes including local option. Support. **Died in House Tax.**

HB 325: Generally revise firearm laws. OPPOSE. **PASSED House Judiciary. Feb. 15. PASSED second reading 58-41 on Feb. 19. Passed third reading Feb. 21 and transmitted to Senate.** 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.

SB 117: Revise highway de-icer laws. Oppose. **TABLED IN Finance and Claims Committee.** 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.

### **Bills Tracking and Monitoring:**

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 Bickel with the City came over to testify against.

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.

HB 232: Revise assessment of taxes during condemnation proceedings. **OPPOSE. PASSED House. Transmitted to Senate. Hearing scheduled in Senate Taxation Feb. 25 9 a.m. room 405.** 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. Tabled in Committee.** 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 192: Revise laws related to privacy in communications. **SUPPORT. Passed House. Referred to Senate Judiciary Feb. 21.** 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.**

HB462: Revise administration of tax increment financing districts. Oppose. **Passed House Taxation.**

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. **Tabled in committee Feb. 21.**

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. Hearing in Senate Local Government Feb. 20.**

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. Scheduled for second reading Feb. 13.** 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.**

HB 194: Revise lodging and rental car taxes including local option. SUPPORT. **Adverse committee report adopted on Feb. 19, bill likely dead.**

HB 6: Renewable resource grants. Strong support. Dale reviewed. Fiscal note printed. No hearing date set. **Bill referred to House Appropriations committee on Feb. 15. No hearing scheduled.**

HB 16: Establish affordable housing loan program. Support. **MacDonald testified Senate taxation. Awaiting executive action.** 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 completed. Transmitted to governor.** 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. 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. **Tabled in committee Feb. 20.** 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.