

WEEKLY REPORT  
Missoula  
Week Ending 4-16-2021

WEEK IN REVIEW

The “big” news is that on Thursday evening, legislative leadership sent word that it was canceling floor sessions for Friday (later extended to Monday as well) after a lobbyist who had interacted with numerous leaders and members tested positive for COVID. Interestingly, this wasn’t by any stretch the first lobbyist to test positive, and at least half a dozen legislators in close contact with each other on a daily basis have tested positive. But this is the first time that legislative leaders chose to take time off. Because floor sessions are not meeting, Friday’s and Monday’s absences do not count against legislative days. Rumors continue that the Legislature will either recess or adjourn sine die late next week; returning at some point after to allocate the federal ARPA money that Montana is to receive. We may not know the exact plan until, literally, a day or two before it happens. While initial word was that the Legislature would adjourn sine die and come back for a special session later in the summer (August), word late Thursday and Friday seemed to indicate legislators could be back earlier – as early as May – and only recess, rather than adjourn. We will continue to monitor and report back.

**SB260: Generally revise laws related to property interests and transfer of business.**

Position: OPPOSE

Status: FAILED on House Floor.

This bill had potentially severe repercussions for local government due to definitions that a “takings” claim could be made over a variety of local measures, including zoning.

**SB388: Provide for infrastructure through tax increment financing**

Position: OPPOSE

Status: AMENDED version was heard in House Tax on 4/13

We continue to oppose and continue to try to find ways to kill the bill. We are working with Billings’ lobbyists and the league to see if we can get a couple of key folks to oppose this in House Tax. This bill initially was tabled in Senate Local Government on March 31, but brought back the next day for reconsideration. The sponsor included amendments removing several of the critical concerns with the bill: the inclusion of university mills and any new mill levies. It also improved the definition of infrastructure. We believe the current version now only applied to future TEDDs, but we do remain concerned, along with the league, that this is a “foot in the door” effort to eventually further limit or prohibit the use of TIF/TEDD and will continue to work to oppose.

**HB121: Require elected official approval of local health board and officer actions.**

Position: SUPPORT/MONITOR

Status: SIGNED by the governor on 4/16.

We generally came down neutral on this bill after amendments and extensive conversations with the sponsor and others. It was one of the many bills attempting to limit the ability of local health boards, this is the one we've determined we can work with and hopefully help support and move forward. We've been generally successful in continuing to move this one forward with amendments local government can support. We believe that is still the case.

**SB385: Revise special district laws and provide time limit on property tax levies**

Position: OPPOSE (Original version)

Status : PASSED Senate. Hearing Set in House Tax for 4/13.

We are continuing to try to work with the sponsor for the ability to "grandfather" in certain districts, including two in Missoula and one in Bozeman that, if this bill passes as is, would be forced to terminate. In the case of Missoula, they would have to terminate in less than two years. Discussions with the league will continue this week. The bill was referred to House Tax and a hearing is set for Tuesday, April 13 in the same committee as SB388.

**SB358: Repeal numeric nutrient standards for water quality**

Position: SUPPORT

Status: Hearing held in House Tax. Awaiting executive action.

This bill, initially tabled in committee, was brought back to due to the work of the league and others in order to address the ability of local governments to meet nutrient standards and balance development needs. In short, the bill eliminates unrealistic nutrient standard statutes and, instead, requires the state to adopt rules for creation of consistent, realistic standards. A lot of work went into this bill, and the result is expected to be a much better system for protecting watersheds while also allowing for reasonable development and management of resources.

**HB632: Implement receipt of and appropriate federal stimulus and COVID recovery funds.**

Position: MONITOR /SUPPORT

Status: Returned to House with Amendments

We're adding this one to the list this week because we've been monitoring it as we determine what is going to happen with the session and the appropriation of the ARPA funds. In Senate Finance and Claims, an amendment was offered that appears to have limited the 20 percent reduction to local governments with stricter COVID restrictions than the state. As amended, that restriction now applies ONLY to water and wastewater grants, and applies only at the time a local government makes the application for the grant. This amendment was offered by Republicans in the Senate Finance and Claims, and was the only amendment that was approved in that committee before it was voted through the Senate and returned to the House.

**STATUS OF OTHER ISSUES AND BILLS**

**HB427: Provide for youth health protection**

Position: OPPOSE

Status: STILL AWAITING floor action on the Senate. This bill passed Senate Judiciary on a party line vote on March 18 but has NOT been brought to the full floor for a vote yet.

**NEXT WEEK:**

We will be closely monitoring both the House and Senate leadership to get an idea of what is going to happen and whether the legislature will be recessing or adjourning before the end of the week. There are obviously several bills that we've been monitoring that are still in play, so we will be watching those closely.