

MONTANA MESSAGE

JUNE 2015 ISSUE

PETRO POLLY... Observes...

Rome did not create a great empire by having meetings....they did it by killing everyone who opposed them.

And that is the approach certain factions in the Montana Legislature this year probably wish they would have adopted.....

The 64th Legislative Session adjourned April 28th with frustration obvious for legislators, administrators and lobbyists alike. Once again the body failed to pass a much needed infrastructure bill and the chances of a special session being called are very slim. To make it further frustrating, the Governor has now vetoed several bills that would have improved the economic climate in Montana such as a bill to simplify the income tax process and one to extend the "Insure Montana", the program for small business health coverage. He also vetoed a bill the Association supported that would disallow local governments from implementing a local minimum wage requirement. Apparently higher speed limits on the interstate are more important than economically healthy citizens. As of this writing, Governor Steve Bullock has vetoed thirty four bills, all but two by Republicans.

As for the Association, the Session was mostly productive. The bill that was introduced at our request by Senator Bruce Tutvedt-Kalispell, to revise the fuel meter testing and license fee process was withdrawn early in the Session after a plea from the Department of Labor, that the affected parties embark on a collaborative effort to develop a program that works for all. Upon adjournment of the Legislature a task force was appointed to begin this process. The task force includes industry folks of the petroleum marketers, propane marketers and service equipment providers. It has had an initial meeting with the Bureau of Weights & Measures and is now gathering information and working on options for consideration.

Two bills that make revisions to the fuel tax code passed; one that moves the gas and diesel codes into the same section; simplifying the statute and clarifying language for keylock/cardtrol statements. The other bill puts language into the fuel tax collection section that allows the Department of Transportation to waive penalties under certain conditions, for the late payment of the fuel tax.

A bill passed regarding *E* Cigarettes that; defines "alternative nicotine products" and "vapor products", requires a license fee of \$5 to sell either of these products and, prohibits the sale of these products to minors. The bill does not define any vapor product as a nicotine product under the clean air act, meaning the Federal government cannot enforce the federal statutes regarding tobacco sales as applying to "vapor products" in this State.

Senator Jim Keane-Butte, saw a bill through the process that once again revises the statute regarding "mixing zones". The bill will allow the Department of Environmental Quality to accept an institutional control other than a recorded easement as a method to grant a mixing zone when the contamination extends beyond the affected property boundary. An example of another institutional control would be a "restrictive covenant". It is estimated that this statute change could affect approximately fifty six sites that may be able to use a PMZ for closure.

There were other bills of interest that did not ultimately make it through the process, one that would have instructed the interim Revenue & Transportation Committee to study the highways

infrastructure in Montana, and how to properly fund the future needs. This of course would have included the fuel tax and diversions of current fuel tax collections to such programs as the Highway Patrol. We believe this would have been beneficial considering the ongoing discussions at the Federal level and what Congress may do this year to solve the bankrupt Highway Fund. Some of the proposals on the table could dramatically affect what States will do going forward. So, that is the review of the 64th. By the time you read this, many of us will be in Billings at the annual convention/trade show. Perhaps you're there as well!!

NEW MEMBER: We would like to welcome Tom Upham of Dakota Refrigeration in Bismark, North Dakota as a new associate member!