

MPMCSA-LEGISLATIVE BULLETIN

April 7, 2013

So just when we think the Legislature is operating in a fairly decorous manner and getting the State's business done, a collapse of epic proportions occurs. Missing Senators, shoes & glasses banging on desks, and sergeants of arms running hither and yon created quite the spectacle for observers of the state Senate on Friday. One could only wonder what the high school kids serving as pages were thinking as the scene was taking place. Elders and statesmen??...looked like kindergarten to the rest of us. There was business conducted by both Houses of course this last week which included advancing bills to give state employees a pay raise, bills to simplify the Montana tax code and a series of "referenda" that address same-day voter registration, primary elections and parental consent for a minor to receive an abortion. It could be an interesting ballot in the next election considering the number of referendum bills that are being offered.

INDUSTRY BILLS

HOUSE BILL 347-Transportation Contract Indemnification

House Bill 347 introduced by Representative Steve Fitzpatrick-Great Falls, is the primary bill of the Motor Carriers Association. It would void certain types of cross-party indemnification in transportation contracts. The bill has been signed by the Governor. POSITION: SUPPORT

HOUSE BILL 509 – 911 fee collection at retail. By Representative Keith Regier-Kalispell. This bill enacts a 911 fee/tax collection at the retail point of sale for Trac phones & cards. The bill will be heard in the Senate Energy Committee on April 9th. POSITION: AMEND/OPPOSE

SENATE BILL 226 - Dyed Fuel

Senator Bill 226 introduced by Senator Eric Moore-Miles City, would allow vehicles that are equipped with a feed-delivery box to operate on public roads and highways using dyed fuel. The feed-delivery box must be permanently affixed to the vehicle; be used exclusively for the feeding of livestock; and the GVW must be greater than 12,000 lbs. The bill passed the House Agricultural Committee and will be heard on the House floor sometime this week. POSITION: MONITOR

SENATE BILL 294 – "Mitigating Circumstances". Sponsored by Senator Elsie Arntzen-Billings, this is the Associations' bill to insert language into the alcohol enforcement statutes that will require the Department of Revenue to consider "mitigating circumstances" before assessing a violation to a license. The bill passed the House Business & Labor Committee unanimously and will be heard on the House floor later this week. Representative Mike Lang-Malta is presenting the bill for the Association.

GENERAL BUSINESS BILLS

HOUSE BILL 48 - Sponsored by Representative Bill McChesney-Miles City. Regarding “Insure Montana”, the bill increases the spending authority cap from 95% to 100% and repeals the requirement to be without insurance for 2 years for eligibility. The new eligibility requirement is for income to be 400% below the federal poverty level. The bill has passed the House and also passed the Senate Public Health Committee. It will be scheduled for debate before the full Senate this coming week.

HOUSE BILL 87 – By Representative Jeff Welborn-Dillon. HB87 that would give the state insurance commissioner power to review rate increases in health insurance premiums has been tabled by the Senate Public Health Committee. Representative Welborn will be seeking to find enough votes to blast the bill on the Senate floor. Conservative Republicans are blocking passage of the bill.

HOUSE BILL 158: By Representative Doug Kary-Billings. HB158 would have required state agencies to appear in person before the appropriate administrative rule committee prior to adopting, amending, or repealing any rules except, emergency or temporary rules. The bill passed the House but was unfortunately tabled by the Senate State Administration Committee.

HOUSE BILL 230 – Representative Scott Reichner-Big Fork. House Bill 230 would reduce property taxes on individuals and businesses by about \$50 million a year by cutting the statewide school equalization property tax levy to 19.6 mills from the current 40 mills. HB230 will be heard in the Senate Taxation Committee on April 12th. The Governors’ competing bill, HB361 that would give Montana homeowners a one-time, \$400 property tax rebate was tabled by the House Taxation Committee.

SENATE BILL 96: By Senator Bruce Tudvedt-Kalispell. Would lower the business equipment tax to 1.5% for property assessed up to \$10 million; over \$10 million in assessed property would be taxed at 3%. The bill will have its first hearing in the House Taxation Committee on April 11th. A competing bill brought forward by the MT Chamber of Commerce (HB472) and sponsored by Rep. Jerry Bennett-Libby, will have its first hearing in the Senate Taxation Committee on April 10th. This bill reduces the business equipment tax by changing the current \$20,000 assessed value threshold to a \$250,000 exemption. As previously reported, if both bills pass both Houses, they will be sent to a conference committee.

Please contact me at the Email address listed below if there are questions or concerns.

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