

MPMCSA-LEGISLATIVE BULLETIN

April 29, 2013

The 63rd legislature adjourned "Sine Die" (without future date) on the 87th day of the Session, a couple days earlier than scheduled. While the main budget bill, House Bill 2, and the implementation bill, House Bill 410 passed, we will not know the state of Montana's fiscal health for another couple weeks. A look back at the "numbers" shows that of the 2,218 bill draft requests received, 1200 of those were introduced as bills; the Legislature killed 625 of those. Governor Bullock has signed 289 bills into law, vetoed 23 and issued 17 amendatory vetoes. 14 bills have become law without his signature. The estimated cost of the 63rd session for House, Senate and legislative services is \$5.4 million.

Here's a look at some of the highlights:

1. Medicaid expansion hit the rocks with lawmakers rejecting Governor Bullock's bill; he has hinted at calling legislators back for a special session.
2. GOP leaders passed several referendums that will bypass the Governor's veto power and go straight to the voters in 2014, including initiatives to end same-day voter registration and allow the top two vote-getters in a primary election to advance to the general election.
3. Legislators rejected a proposal to create a 401(K) type system for public employees, electing instead to slightly reduce benefits and increase contributions. Public workers will also be getting a raise.
4. Lawmakers appropriated more than \$30 million to help develop the infrastructure of eastern Montana towns affected by the Bakken oil boom.
5. Wolf hunters can now use electronic calls and take more than one animal, but efforts to expand the bison hunt and halt bison relocations were killed. However, the State will be liable for damage caused by bison to private property.
6. The school funding system was reformed by the passage of Senate Bill 175. Senator Llew Jones-Conrad, bill will reduce reliance on property taxes and use more natural resource development funding.

INDUSTRY BILLS

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 has passed the Legislature and is on the Governor's desk. The bill is not effective until January 1, 2014. The Association will be working with the Department of Revenue in the coming months to develop any rules necessary to implement the fee and will forward pertinent information to the membership.

POSITION: OPPOSE/AMEND

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 had died in the Appropriations Committee but was revived and has now passed the Legislature.

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 Governor has allowed the bill to become law without his signature. In the coming months, the Liquor Control Division will be re-writing some of the alcohol code rules; the Association will be at the table to advance the interests of convenience store operators.

GENERAL BUSINESS BILLS

HOUSE BILL 48 - Sponsored by Representative Bill McChesney-Miles City. Regarding “Insure Montana”, the program was fully funded and is on the Governor’s desk. This wildly popular, small business health insurance program allows more than 8,000 Montanans health insurance coverage.

HOUSE BILL 87 – By Representative Jeff Welborn-Dillon. Finally – Montana will join 48 other states and give the state insurance commissioner the power to review rate increases in health insurance premiums. HB87 was taken from the table and ultimately accepted in the Senate by a close vote of 26-24. The moderate majority that is often overlooked and underappreciated worked together to advance this, and other commonsense ideas.

SENATE BILL 96-HOUSE BILL 472: By Senator Bruce Tudvedt-Kalispell & Representative Jerry Bennett-Libby, were joined together to lower the business equipment tax. The final version will exempt every business owner from paying the tax on the first \$100,000 of assessed property. A 1.5% rate will be paid on assessed property up to \$6 million and 3% above that amount. The bill is on the Governor’s desk.

SENATE BILL 139: By Senator Ed Walker-Billings. Dubbed the “Small Business Impact Act”, and patterned after the federal Regulatory Flexibility Act (RFA), SB139 will require agencies to provide evidence to the Legislature as to how a proposed rule or regulation would adversely or positively impact small businesses. The bill defines a small business as 50 or fewer employees. The Governor has let the bill become law without his signature.

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

Submitted by
Ronna Alexander-Executive Director
ccomm@bresnan.net