

MPMCSA-LEGISLATIVE BULLETIN

March 4, 2013

The 63rd Legislature is officially on break! Both Houses adjourned early yesterday with legislators scheduled to return late Monday afternoon for committee meetings starting on Tuesday. A quick analysis shows that there were only 41 fewer bills heard the first half of this session compared to the first half of the 2011 session. The tone of the first half has been relatively harmonious, but tensions could increase as various substantial – not to mention expensive – proposals make their way through the process. Education funding reform, property tax relief, public pension reform, construction bonding and Medicaid expansion are the big ticket items that will likely dominate the remaining 45 days of the Session

IMPORTANT DATE

Please put this date on your calendar – March 12th, Helena-Legislative Reception

The Association will again host a legislative reception in Helena at the Montana City Grill – 5:30 p.m.- 8:30 p.m. on March 12th. We have two rooms remaining in the block at the Colonial Hotel for those who wish to spend the evening. We will also plan a trip up to the Capitol the morning after. Please let us know if you are planning on attending and if you need a room!!!!

HOUSE BILL 346- Dyed Fuel

House Bill 346 introduced by Representative Dan Salomon-Ronan, would allow vehicles designed or modified for primary use as a farm or ranch vehicle to operate on public roads and highways with dyed fuel. These sections of fuel tax/use law are enforced by the Motor Carrier Services and the Highway Patrol. The bill was tabled by the Appropriations Committee due to the estimated reduction in fuel tax revenue of \$112,000.

POSITION: MONITOR

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 will be heard in the Senate on March 13th in the Highways Committee.

POSITION: SUPPORT

HOUSE BILL 509 – By Representative Keith Regier-Kalispell. This bill enacts a 911 fee/tax collection at the retail point of sale. The particulars are:

1. The fee would be 85 cents per transaction.
2. Retailer to deduct 5% of fees collected as a collection allowance.
3. A business entity may submit one report – quarterly – for all locations owned.
4. De Minimis language; if the sale is \$5 or less a seller is not required to collect the fee.
5. If bill is passed implementation would be January 1, 2014. The bill will be heard by the House Telecommunications Committee on March 8th.

POSITION: OPPOSE

SENATE BILL 262 – By Senator John Brenden-Scobey. SB262 would bar the Department of Environmental Quality from investigating anonymous tips of alleged environmental violations. The bill

addresses in particular, Title 75 for releases of hazardous substances. It does not prohibit an employee from reporting anonymously a violation of the law by an employee. The bill has passed the Senate.

POSITION: MONITOR

SENATE BILL 373 – By Senator Jim Keane. SB373 would expand the enforcement authority of Department of Transportation peace officers to stop and search employed non-residents' motor vehicles for the use of improperly imported fuel or dyed fuel. This bill was just introduced and will not need to meet transmittal as it is a revenue bill. We will determine the Associations' position after speaking with the Department & sponsor.

POSITION: UNDETERMINED

GENERAL BUSINESS BILLS

HOUSE BILL 87 – By Representative Jeff Welborn-Dillon. HB87 referred to as the "Health Insurance Rate Review Authority" will allow the state insurance commissioner (Monica Lindeen) to review increases in health insurance premiums. The bill has passed the House and been transmitted to the Senate.

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 has passed the House and been sent to the Appropriations Committee. This bill contrasts to Governor Bullocks' bill, HB361 that would give Montana homeowners a one-time, \$400 property tax rebate. HB361 was heard in the House Taxation Committee on February 22nd but has not yet been acted on.

HOUSE BILL 472 – By Representative Jerry Bennett-Libby. A second proposal that would reduce the business equipment tax by changing the current \$20,000 assessed value threshold to a \$250,000 exemption. The bill garnered strong bipartisan support in the House Taxation Committee and passed 96-4 on the House floor. It has also been referred to the House Appropriations Committee. Senate Bill 96 by Senator Bruce Tudvedt-Kalispell, that lowers the business equipment tax with two different valuation schedules has passed the Senate. If the two bills pass both Houses they will be sent to a conference committee.

SENATE BILL 139 - By Senator Ed Walker – Billings. SB 139 proposes to require any agency adopting rules to consider the adverse and positive impact on small businesses with 50 or fewer employees. The proposal is similar to what exists at the federal level and in 42 states. The bill was amended to exempt agencies that have conducted an "economic impact analysis" upon the request of an interim committee or 15 legislators. The bill has passed the Senate and will be heard in the House Business Committee on March 6th.

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

Submitted by

Ronna Alexander-Executive Director

ccomm@bresnan.neT