



# MACo LEGISLATIVE UPDATE

VOL. 20, NO. 10

Feb. 27, 2009

The Montana Association of Counties (MACo) publishes this **weekly** bulletin containing summary descriptions of bills of interest to local government officials. **Each issue lists only the bills that have been introduced during the week. Please save this message or print it for future reference.**

Copies of bills are typically sent to County Clerks and Recorders and also can be found at: [http://laws.leg.mt.gov/laws09/LAW0200W\\$.Startup](http://laws.leg.mt.gov/laws09/LAW0200W$.Startup)

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Many legislators have their own e-mail addresses, which can be found at <http://leg.mt.gov/css/sessions/61st/roster.asp?HouseID=0&SessionID=94>

## MACo & the Montana Legislature

The MACo Web site has a page at <http://www.maco.cog.mt.us/Legislature/Legislative.htm> dedicated to helping members keep track of the happenings at the 61th Montana Legislature. There you'll find MACo's resolutions, links to pertinent bills, an archive of our weekly *Legislative Updates*, links to bills and bill status reports, hearings calendars, committee listings, legislator contact information, and more.

## Scheduled Hearings for March 2-6, 2009

The Senate Local Government Committee meets Mondays, Wednesdays, and Fridays at 3 p.m. in Room 405. The House Local Government Committee meets Tuesdays and Thursdays at 3 p.m. in Room 172. MACo bills are shown below in **bold**.

### **Tuesday, March 3**

	<b>Room</b>	<b>Time</b>
SB 96 Revise mental illness evaluations in criminal justice system	137	8 a.m.
SB 139 Fingerprints for misdemeanor offenses	137	8 a.m.
HB 137 Castle doctrine for use of force in defense	137	8 a.m.
HB 630 Revise laws relating to improvement district revolving funds	152	8 a.m.
SB 227 Electronic filing and additional campaign reports	455	8 a.m.
HB 95 Cost of care contributions under Youth Court Act	317	9 a.m.
HB 287 Authorize utility tree trimming on right-of-way and easements	317	9 a.m.
HB 159 Require actuarial opinion summary for domestic property and casualty insurers	422	10 a.m.
HB 85 EMS grant program	102	1:30 p.m.
HB 364 Establish administrative code committee	102	1:30 p.m.
HB 408 Presumption of covered diseases for firefighters under work comp	102	1:30 p.m.
HB 411 Flood damage mitigation assistance program	102	1:30 p.m.
HB 619 Sudan divestment act	102	1:30 p.m.
<b>SB 57 Revise laws governing special districts</b>	<b>172</b>	<b>3 p.m.</b>
<b>SB 58 Revise local government laws</b>	<b>172</b>	<b>3 p.m.</b>
SB 294 Include roads as undertaking for municipal revenue bonds	172	3 p.m.
HB 48 Revise laws relating to Growth through Agriculture program	335	3 p.m.
HB 296 Tribal fish and game wardens as ex officio wardens under coop. agreement	422	3 p.m.
SB 104 Revise estray notification and deposition requirements	472	3 p.m.

### **Wednesday, March 4**

	<b>Room</b>	<b>Time</b>
SB 63 Tax incentives for volunteer EMTs and their employers	317	8 a.m.
SB 460 Committee to oversee and evaluate stimulus package funding	317	8 a.m.
SB 419 TIF for county roads	405	8 a.m.

## Scheduled Hearings for March 2-6, 2009, cont.

<b>Wednesday, March 4, cont.</b>	<b>Room</b>	<b>Time</b>
HB 2 General appropriations act	102	8 a.m.
SB 45 Clarify prosecutorial disclosure requirements	137	8 a.m.
HB 525 Revise penalty for eluding peace officer	137	8 a.m.
SB 455 Allow a deferral of the payment of property taxes	405	8 a.m.
SB 456 Exempt tribally owned property from property taxes	405	8 a.m.
SB 187 Limit districting to 1% deviation	455	8 a.m.
SB 240 Residency requirements for public boards and commissions; clarify residence	455	8 a.m.
SB 243 Constitutional amendment to require majority vote in general elections	455	8 a.m.
HB 579 Paid sick leave including for domestic violence as minimum labor standard	172	8:30 a.m.
SB 280 Revise tax exemption of rental personal property	152	9 a.m.
HB 631 Revise credit for preservation of historic buildings and transfer of credit	152	9 a.m.
HB 636 Tax incentive to sell mobile home park to resident's group	152	9 a.m.
HB 122 Revise false claims act	303	9 a.m.
HB 205 Revise law on postconviction petitions	303	9 a.m.
HB 242 Revise juror fee laws	303	9 a.m.
SB 82 Clarify Medicaid third party liability	152	3 p.m.
<b>SB 208 Include nonprofit hospital employees in county health plan</b>	<b>152</b>	<b>3 p.m.</b>
HB 57 Clarify school district consolidations and annexations	303	3 p.m.
HB 151 Revise breast reconstruction mandate to comply with federal law	317	3 p.m.
HB 19 Revise and clarify state election laws	335	3 p.m.
HB 23 Remove statutory references to Legislative Administration Committees	335	3 p.m.
HB 30 Youth election judges	335	3 p.m.
HB 37 Language modernization of MCA for comprehensibility and gender neutrality	335	3 p.m.
HB 61 Revise interlibrary program	405	3 p.m.
HB 181 Authorize design-build water and sewer districts	405	3 p.m.
HB 231 Revise laws on incorporation of cities and towns	405	3 p.m.
HB 273 Revise costs related to search and rescue	405	3 p.m.
HB 44 Revise DNRC participation in federal forest management planning	422	3 p.m.
HB 139 DNRC intervention authority in federal forest management projects	422	3 p.m.
HB 140 Increase excess sustained yield authority for forest health	422	3 p.m.
SB 95 Temporary nutrient criteria for discharge permits	472	3 p.m.
SB 102 Revise public water supply laws	472	3 p.m.
SB 120 Revise the controlled groundwater area petition laws	472	3 p.m.
<b>Thursday, March 5</b>	<b>Room</b>	<b>Time</b>
HB 2 General appropriations act	102	8 a.m.
SB 157 Audio-video hearings for certain mental health proceedings	137	8 a.m.
<b>SB 169 Revise drug testing requirements for public officers</b>	<b>137</b>	<b>8 a.m.</b>
SB 256 Revise access to youth court records for JDIP evaluations	137	8 a.m.
<b>SB 309 Increase lodging and per diem reimbursement for state employees</b>	<b>317</b>	<b>8 a.m.</b>
SB 490 Increase class eight business equipment tax exemption	405	8 a.m.
SB 49 Energy efficiency standards for construction of state buildings	455	8 a.m.
HB 269 Revise monetary credit for jail service	303	9 a.m.
HB 293 Law enforcement certification for certain former military personnel	303	9 a.m.
HB 119 Revise employment laws, including workers compensation	422	10 a.m.
HB 138 Revise employment safety and occupational health acts	422	10 a.m.
HB 430 Fine for barbwire fences across navigable water	152	3 p.m.
<b>SB 148 Revise and clarify local government laws</b>	<b>172</b>	<b>3 p.m.</b>
SB 255 Include additional forms of indebtedness in annexation of fire districts	172	3 p.m.
SB 262 Allow per unit assessment in water and sewer districts	172	3 p.m.
SB 390 Allow local government assistance from state	172	3 p.m.
<b>Friday, March 6</b>	<b>Room</b>	<b>Time</b>
HB 2 General appropriations act	102	8 a.m.
SB 331 Revise laws on criminal use of official position	455	8 a.m.

## Scheduled Hearings for March 2-6, 2009, cont.

### Friday, March 6, cont.

	<b>Room</b>	<b>Time</b>
SB 391 Revise provisions on candidate withdrawal before primary	455	8 a.m.
<b>SB 394 Expand types of elections that may be conducted by mail ballot election</b>	<b>455</b>	<b>8 a.m.</b>
SB 89 Eliminate sunset for new worker training program	172	8:30 a.m.
SB 135 Revise insure Montana program	172	8:30 a.m.
SB 150 Revise unemployment insurance laws	172	8:30 a.m.
HB 308 Allow donation of food as method of serving sentence of community service	303	9 a.m.
HB 101 Extend deadlines related to wage withholding in cases of theft	422	10 a.m.
HB 114 Clarify licensure and liability in public health emergencies	422	10 a.m.
SJ 5 Continued interim monitoring of health care pricing and information disclosure	152	3 p.m.
SB 83 Confidentiality protection for review of emergency service calls	152	3 p.m.
HB 634 Revise law on transportation of mentally ill	152	3 p.m.
<b>HB 38 Revise laws to reflect passage of 6 mill levy</b>	<b>303</b>	<b>3 p.m.</b>
HB 70 Clarify application of exclusions from drug schedules	317	3 p.m.
HB 71 Repeal sunset of hospital bed tax	317	3 p.m.
<b>HB 244 Clarify law on absence by county officer</b>	<b>405</b>	<b>3 p.m.</b>
<b>HB 245 Authorize counties to create compensated absences fund</b>	<b>405</b>	<b>3 p.m.</b>
HB 324 Optional firearm purchase by retiring law enforcement personnel	405	3 p.m.
<b>HB 426 Clarify appointment of commissioners for regional airport authority</b>	<b>405</b>	<b>3 p.m.</b>
HB 40 Revise water right permit process	422	3 p.m.

## Projected Session Calendar

**Please note:** This calendar was revised by legislative leadership Dec. 4, 2008; leadership holds the authority to further revise the schedule, including the days the Legislature meets and the proposed breaks.

**Introduction deadlines:** Generally, bills and resolutions must be introduced within two legislative days after delivery. JR 40-50, H40-10. **"General bills"** is used to denote all bills, except appropriation or revenue bills, and all joint resolutions. **Notes:** Deadline dates are determined according to legislative days, using a six-day legislative week. Certain bills and resolutions relating to administrative rules may be transmitted at any time during the session. JR 40-200(3).

Feb. 27-28:	Transmittal Break
March 18:	Transmittal of Revenue-Estimating Joint Resolutions
March 20:	Last day for Committee to request Revenue Bills
March 26:	Transmittal of Appropriation Bills
March 31:	Transmittal of Revenue Bills
April 2:	Transmittal of amendments to General Bills
April 4:	Last day to request Study Resolution or Committee Bills to implement HB2
April 14:	Transmittal of amendments to Appropriation Bills
April 16:	Transmittal of amendments to Revenue Bills and Revenue-Estimating Joint Resolutions
April 20:	Transmittal of Interim Study Resolutions
April 25:	Session adjourns; Sine Die

## MACo Resolutions/Legislation

<b>No.</b>	<b>Title</b>	<b>Res. No.</b>	<b>Sponsor</b>	<b>Status-Date</b>
HB 18*	Mail ballot pilot project	2008-23	Ingraham	Committee vote failed-1/26
HB 38	Revise laws to reflect passage of six-mill levy	2008-22	Campbell	Hearing-3/6
HB 45	Compliance w/ federal law for forest reserve payments	MACoBd	Ingraham	1 <sup>st</sup> reading-2/23
HB 60	Jail mental health crisis network standards pilot program		Ebinger	Hearing-2/3
HB 81	Study long-term impacts of budget/demographics		Lake	Hearing-1/20
HB 156	Uniform penalty/enforcement for zoning violations	2004-28	Pomnichowski	1 <sup>st</sup> reading-2/23
HB 180**	Montana-based business technology districts	2008-38	Pomnichowski	Tabled in committee-1/15
HB 190	Clarify stream access from bridges/fencing	2008-11	Van Dyk	Hearing-3/19
HB 194	County payment from hard rock mining trust account	2008-24	Mendenhall	TX to Senate-2/24
HB 230	Revise local government employee incentive program	2008-15	McClafferty	Referred to committee-2/23
HB 232	Remove limits on PILT for state land in counties		French	Tabled in committee-2/12

## MACo Resolutions/Legislation, cont.

<b>No.</b>	<b>Title</b>	<b>Res. No.</b>	<b>Sponsor</b>	<b>Status-Date</b>
HB 244	Clarify law on absence by county officer	2008-01	Ankney	Hearing-3/6
HB 245	Authorize counties to create compensated absence fund	2008-09	Ankney	Hearing-3/6
HB 276	Clarify responsibility for persons injured by law enforcemnt.	2008-20	Stoker	Hearing-2/4
HB 279	Indirect cost recovery exemption	2008-35	Reinhart	Rev. fiscal note rec.-2/24
HB 331	Revise laws relating to licensed establishments f/ health	2008-18	Morgan	TX to Senate-2/25
HB 406	Revise county interim zoning law		Reinhart	Missed deadline-2/26
HB 426	Clarify appt. of commissioners for regional airport authority	2008-03	Milburn	Hearing-3/6
HB 428	Revise requirements for technology districts	2008-38	Pomnichowski	Referred to committee-2/23
HB 488	Revise territory transfer laws relating to K-12 school dists.	2008-29	L. Jones	TX to Senate-2/25
SB 30***	Revise reimbursement for meals, lodging	MACoEC	Gebhardt	Tabled in committee-1/9
SB 57	Revise laws governing special districts	2008-33	Gillan	Hearing-3/3
SB 58	Revise local government laws	2008-33	Gillan	Hearing-3/3
SB 78	Clarify mill levy limit for soil conservation districts	2008-31	Brendan	Hearing-2/3
SB 148	Revise and clarify local government laws	2008-26	Peterson	Hearing-3/5
SB 169	Revise drug testing requirements for public officers	2008-13	Gebhardt	Hearing-3/5
SB 191	Provide funding for court security	2008-11	Jent	Failed 2 <sup>nd</sup> reading-1/27
SB 208	Include non-profit hospital employees in co. health plan	MACoHCT	Lewis	Hearing-3/4
SB 309	Increase lodging/per diem reimbursement f/ state emps.	MACoEC	Shockley	Hearing-3/5
SB 354	Revise law on disposal of airport property		Lewis	Missed deadline-2/26
SB 394	Mail ballot election	2008-23	Bales	Hearing-3/6
SJ 7	Opposition to HR 2421	2008-08	Brendan	1 <sup>st</sup> reading-2/3
LC0606	Revise laws governing electric transmission lines	2008-12	L. Jones	Draft on hold-11/12
LC0659	Authorize local governments to form investment pool	2008-30	Lewis	Draft on hold-11/19
LC0942	Revise laws governing local subdivision regulations	2008-07	Brueggeman	Draft on hold-1/8
LC0943	Revise impact fee laws	2008-19	Brueggeman	Draft cancelled-2/12
LC1089	Funding for grants to counties under youth court act	2008-40	McChesney	Draft on hold-12/8
LC1342	State PILT payment to offset state land purchases	2008-34	Bean	Draft on hold-12/10
LC1936	Create youth summer employment program	2006-14	Branæ	Draft cancelled-1/15

\* HB 18 has been replaced by SB 394

\*\* HB 180 has been replaced by HB 428

\*\*\* SB 30 has been replaced by SB 309

## Recently Introduced Bills

<b>No.</b>	<b>Title</b>
SB 499	Reduce coal severance tax rates for new production for green facilities
HB 631	Revise credit for preservation of historic buildings and transfer of credit
HB 634	Revise law on transportation of mentally ill
HB 635	Repeal Montana equity capital investment act
HB 636	Tax incentive to sell mobile home park to resident's group
HB 637	Diverting a portion of the hospital bed tax to fund mental health services