



2007 Legislative Bill Tracking List

End of Session Report

Bills Passed

\*Indicates bill is dead.

Bill Type-Number	Sponsor	Current Status	Short Title	Position	Analysis
HB 106	Douglas Cordier	Chapter Number Assigned 03/22/2007	Remove Commerce as ombudsman regarding Flathead Lake management	Monitor	<ul style="list-style-type: none"> <li>▪ Senate 3<sup>rd</sup> reading concurred 42-4 and House 3<sup>rd</sup> reading passed 100-0;</li> <li>▪ Eliminates the requirement that the Department of Commerce Act as an ombudsman for the tourism industry and recreationists in all matters concerning the management and regulation of the level of Flathead Lake.</li> </ul>
HB 235	Ernie Dutton	(H) Signed by Governor 04/26/2007	Business improvement district law	Monitor	<ul style="list-style-type: none"> <li>▪ House 3<sup>rd</sup> reading passed 75-22 and Senate 3<sup>rd</sup> reading concurred 34-16;</li> <li>▪ Expands business improvement district purposes to include tourism, promotion, and marketing;</li> <li>▪ Revises options for assessment of costs to include flat-fee options;</li> <li>▪ Provides for districts composed of noncontiguous areas if property is related by purpose;</li> <li>▪ Allowing classification criteria to be used in assessing costs; and</li> <li>▪ Amends sections 7-12-1102, 7-12-1111, 7-12-1121, 7-12-1132, and 7-12-1133, MCA.</li> </ul>
HB 284	Shanon Augare	Chapter Number Assigned 04/05/2007	Fund improvement at state park - agreement with Little Shell Tribe to maintain	Monitor	<ul style="list-style-type: none"> <li>• Senate 3<sup>rd</sup> reading concurred 48-0 and the House 3<sup>rd</sup> reading passed 74-25;</li> <li>• An act authorizing the renovation of the historic building at the Morony townsite in Giant Springs State Park; and</li> <li>▪ Grants authority for the Department of Fish, Wildlife, and Parks to enter an agreement with the Little Shell Cheppewa Tribe for maintenance and security at the park.</li> </ul>

HB 531	Carol Lambert	Chapter Number Assigned 03/30/2007	Designate warrior trail	Support	<ul style="list-style-type: none"> <li>▪ House 3<sup>rd</sup> reading concurred 49-1 and Senate 3<sup>rd</sup> reading passed 86-30;</li> <li>▪ Establishes the Warrior Trail Highway on U.S. Highway 212 from the 510 exit at interstate 90 to the U.S. highway 212 intersection with the Wyoming border.</li> </ul>
SB 88	Bob Hawks	Chapter Number Assigned 03/30/2007	Extend indefinitely funding to heritage preservation and development account	Support	<ul style="list-style-type: none"> <li>▪ Senate 3<sup>rd</sup> reading passed as amended 50-0 and House 3<sup>rd</sup> reading concurred 80-20</li> <li>▪ Extends indefinitely the allocation of lodging facility use tax to the Montana Heritage Preservation and Development account;</li> <li>▪ Repeals section 3, chapter 469, laws of 2001; and</li> <li>▪ Provides an immediate effective date.</li> </ul>
SB 299	Lynda Moss	Chapter Number Assigned 04/17/2007	Revise laws on historic preservation and cultural tourism	Support	<ul style="list-style-type: none"> <li>▪ House 3<sup>rd</sup> reading concurred 74-26 and Senate 3<sup>rd</sup> reading passed 30-20;</li> <li>▪ Revises laws relating to heritage preservation and cultural tourism;</li> <li>▪ Provides for the lease or exchange of historic property;</li> <li>▪ Provides for heritage preservation and cultural tourism commissions;</li> <li>▪ Provides for the designation, administration, and promotion of heritage and cultural tourism resources;</li> <li>▪ Provides funding;</li> <li>▪ Amends sections 7-16-2201, 7-16-2205, and 18-2-105, MCA; and</li> <li>▪ Provides a July 1<sup>st</sup>, 2007 effective date.</li> </ul>

**Bills Pending**

<b>Bill Type-Number</b>	<b>Sponsor</b>	<b>Current Status</b>	<b>Short Title</b>	<b>Position</b>	<b>Analysis</b>
HB 9	Dave Kasten	(S) Signed by President 04/19/2007	Cultural and aesthetic grants	Support	<ul style="list-style-type: none"> <li>▪ Senate 3<sup>rd</sup> reading concurred 43-5 and House 3<sup>rd</sup> reading passed as amended 86-12;</li> <li>▪ Establishes priorities for cultural and aesthetic projects grant awards;</li> <li>▪ Appropriates money for cultural and aesthetic grants;</li> <li>▪ Provides for a transfer of funds from the state general fund to the cultural and aesthetic projects trust fund account; and</li> <li>▪ Provides a July 1, 2007 effective date.</li> </ul>
HB 40	Dave Gallik	(H) Transmitted to Governor 04/25/2007	Revise state movie incentive laws	Support	<ul style="list-style-type: none"> <li>▪ Senate 3<sup>rd</sup> reading concurred 29-21 and House 3<sup>rd</sup> reading passed 59-39;</li> <li>▪ Amends the Big Sky on the Big Screen Act;</li> <li>▪ Removes the \$1 million limitation on the amount of credits allowed;</li> <li>▪ Standardizes the application fee for tax credits;</li> <li>▪ Increases percentages for Montana Labor and for qualified Montana Expenditures to determine the amount of allowable credits;</li> <li>▪ Requires that all purchases made by a taxpayer in connection with a state-certified production must be paid in full before the credit for qualifying expenditures may be claimed;</li> <li>▪ Amends sections 15-31-906, 15-31-907, 15-31-908, and 15-31-911, MCA;</li> <li>▪ Repeals section 15-31-909, MCA; and</li> <li>▪ Provides an immediate effective date, a retroactive applicability date, and a termination date.</li> </ul>

HB 148	Wanda Grinde	(S) Signed by President 04/19/2007	Pool inspection fee	Monitor	<ul style="list-style-type: none"> <li>▪ Senate 3<sup>rd</sup> reading concurred 27-23 and House 3<sup>rd</sup> reading passed 63-36;</li> <li>▪ Expands the definition of “public swimming pool”;</li> <li>▪ Defines terms;</li> <li>▪ Imposes fees for the review of plans relating to the construction or alteration of public swimming pools or public bathing places;</li> <li>▪ Clarifies the term “separate” with regard to public swimming pools;</li> <li>▪ Increases fees for licensure of public swimming pools, public bathing places, and spas or wading pools; and</li> <li>▪ Authorizes local boards of health to establish inspection and enforcement activities of public swimming pools and public bathing places.</li> </ul>
HB 240	Bill Nooney	(H) Transmitted to Governor 04/26/2007	Short-term emergency lodging tax credit	Support	<ul style="list-style-type: none"> <li>▪ Senate 3<sup>rd</sup> reading concurred 46-4 and House 3<sup>rd</sup> reading passed 89-11;</li> <li>▪ Establishes a temporary emergency lodging program for individuals and families displaced from their residences;</li> <li>▪ Provides a tax credit for participating establishments;</li> <li>▪ Establishes liability for damages; and</li> <li>▪ Provides an applicability date.</li> </ul>
SB 233	Jim Elliott	(S) Signed by President 04/27/2007	Allow multiple counties to create museum districts	Support	<ul style="list-style-type: none"> <li>▪ House 3<sup>rd</sup> reading concurred 73-25 and Senate 3<sup>rd</sup> reading passed as amended 47-2;</li> <li>▪ Provides for the creation of county museum districts and allowing for a museum district to be located in more than one county;</li> <li>▪ Provides for protest of creation of the district;</li> <li>▪ Allows for a levy of taxes on property located within a district;</li> <li>▪ Requires certain procedures if the district includes territory from more than one county; and</li> <li>▪ Amends sections 7-6-2527 and 7-16-2205, MCA.</li> </ul>

SB 284	Lynda Moss	(S) Transmitted to Governor 04/26/2007	Revise allocation of bed tax and taxes on rental cars	Support	<ul style="list-style-type: none"> <li>▪ House 3<sup>rd</sup> reading concurred 86-13 and Senate 3<sup>rd</sup> reading passed as amended 40-10; This is the “Best Place First” tourism partners plan;</li> <li>▪ Revises the allocation of sales tax proceeds;</li> <li>▪ Allocates a portion of sales tax proceeds for tourism-related purposes; the appropriation for 2008 is about \$3.7 million;</li> <li>▪ Provides a statutory appropriation;</li> <li>▪ Amends sections 15-68-820 and 17-7-502, MCA; and</li> <li>▪ Provides a July 1<sup>st</sup>, 2007 effective date.</li> </ul>
SJ 3	Dan Weinberg	(S) Signed by President 04/25/2007	Urge funding for restoration of parks, battlefields, and monuments	Support	<ul style="list-style-type: none"> <li>▪ House 3<sup>rd</sup> reading concurred 71-29 and Senate 3<sup>rd</sup> reading passed as amended 42-8;</li> <li>▪ Recognizes the sizable cultural, natural, and economic contributions that national parks, battlefields, and monuments make to the state and recognizing that documented and substantial maintenance backlogs and annual operations budget shortfalls at National Parks, Battlefields, and Monuments put the parks and businesses that depend on healthy parks at risk; and</li> <li>▪ Urging Montana’s Congressional delegation to initiate appropriations actions to restore National Parks, Battlefields, and Monuments to their former stature by the Centennial of the National Park System in 2016.</li> </ul>

**Bills Failed**

Bill Type-Number	Sponsor	Current Status	Short Title	Position	Analysis
HB 79	Dave McAlpin	(H) Died in Standing Committee* 04/27/2007	Provide for refund of certain taxes and fees to customer from whom collected	Monitor	<ul style="list-style-type: none"> <li>▪ This bill did not make it out of the House Taxation Committee;</li> <li>▪ Requires persons who collect and remit to the Department of Revenue certain retail excise taxes or fees to refund to the customers from whom the tax or fee was collected the amount of overpayments refunded by the Department; and</li> <li>▪ Provides that refunds owed by the taxpayer to customers may be treated as abandoned property.</li> </ul>

HB 100	Bob Bergren	(H) Died in Standing Committee* 04/27/2007	Improve management of DOR collection responsibilities	Monitor	<ul style="list-style-type: none"> <li>▪ Tabled in the House Taxation Committee and a motion to bring it to the floor failed 49-51;</li> <li>▪ Relates to the Department of Revenue's collection responsibilities; and</li> <li>▪ Imposes joint and several liability for taxes held in trust for the state on corporate officers, partners, and members and managers of limited liability companies.</li> </ul>
HB 147	Mike Jopek	(H) Died in Standing Committee* 04/27/2007	Revise and clarify application of bed tax and sales and use tax	Monitor	<ul style="list-style-type: none"> <li>▪ This bill was tabled in the House Taxation Committee;</li> <li>▪ Revises and clarifies certain provisions of the resort tax, lodging facility use tax, and the sales and use tax; and</li> <li>▪ Revises the definition of "facility" for the lodging facility use tax and the definition of "accommodations" for the sales and use tax;</li> </ul>
HB 331	Dan Villa	(H) Died in Standing Committee* 04/27/2007	Increase appropriations to certain economic development programs	Monitor	<ul style="list-style-type: none"> <li>▪ This bill was tabled in the House Appropriations Committee and failed twice to be brought onto the floor;</li> <li>▪ Repeals the termination date for funding of the cooperative development center, the Growth through Agriculture program, the Research and Commercialization Program, the Small Business Development Center, the Small Business Innovative Research Program, the Certified Regional Development Corporations, the Montana Manufacturing Extension Center at Montana State University, and the Export Trade Enhancement Program.</li> </ul>
HB 451	Julie French	(H) Died in Standing Committee* 04/27/2007	Small town renewal program	Monitor	<ul style="list-style-type: none"> <li>▪ This bill was tabled in the House Appropriations Committee;</li> <li>▪ Provides for a small town renewal program in the Department of Commerce.</li> </ul>
HB 517	Gary Branae	(H) Died in Standing Committee* 04/27/2007	Revise scenic byways laws	Support	<ul style="list-style-type: none"> <li>▪ This bill was tabled in the House Transportation Committee;</li> <li>▪ Revises provisions governing the scenic-historic byways program;</li> <li>▪ Includes tribal issues among the subjects a member of the program advisory council must have expertise in; and</li> <li>▪ Amends sections 60-2-601 and 60-2-602, MCA.</li> </ul>

HB 519	Dave Kasten	(H) Died in Process* 04/27/2007	Fund Montana cowboy hall of fame	Monitor	<ul style="list-style-type: none"> <li>▪ Died on House Floor; and</li> <li>▪ Appropriates funds for site development of the Montana Cowboy Hall of Fame.</li> </ul>
HB 529	Bob Lake	(S) Died in Standing Committee* 04/27/2007	Reimburse for business equipment tax exemption	Monitor	<ul style="list-style-type: none"> <li>▪ Bill did not make it out of Senate Conference Committee;</li> <li>▪ Provides for the allocation of exempt Class 8 property by location.</li> </ul>
HB 530	Ken Peterson	(H) Missed Deadline for General Bill Transmittal* 02/28/2007	Require paid rest breaks for certain employees	Monitor	<ul style="list-style-type: none"> <li>▪ This bill was tabled in the House Business and Labor Committee;</li> <li>▪ Requires an employer with two or more employees, including management, to adopt a policy generally providing for a paid 10-minute rest period every 4 hours as practicable; and</li> <li>▪ Provides exceptions.</li> </ul>
HB 539	George Groesbeck	(S) Died in Standing Committee* 04/27/2007	Appropriate funds for Butte-Silver Bow cultural development	Monitor	<ul style="list-style-type: none"> <li>▪ Tabled in the Senate Finance and Claims Committee;</li> <li>▪ Appropriates \$100,000 from the state general fund to be used by the Department of Commerce to provide funding for cultural development in Butte-Silver Bow.</li> </ul>
HB 685	Dave McAlpin	(H) Died in Standing Committee* 04/27/2007	Local option tax	Monitor	<ul style="list-style-type: none"> <li>▪ This bill was tabled in the House Taxation Committee;</li> <li>▪ Allows all municipalities and counties, by a vote of the electorate, to adopt a local option sales tax on certain luxury goods and services.</li> </ul>

HB 833	Wayne Stahl	(H) Died in Process* 04/27/2007	20-20 tax plan -- school mills income tax credit and increase exemption amount	Monitor	<ul style="list-style-type: none"> <li>▪ The bill was scheduled for 2<sup>nd</sup> Reading in the House to approve Senate amendments, but it was removed from the schedule. The motion to place the bill on 2<sup>nd</sup> Reading failed 49-50;</li> <li>▪ This bill contains parts of 14 other bills that died. These bills are HB 108, SB 138, SB 139, HB 345, SB 439, SB 220, HB 147, SB 174, HB 100, SB 470, SB 120, SB 416, HB 816, SB 99, SB 210, SB 514, and SB 562;</li> <li>▪ Revises laws relating to taxation;</li> <li>▪ Conforms state withholding provisions to federal withholding provisions for pensions, annuities, and certain other deferred income;</li> <li>▪ Requires withholding at 30% of the amount withheld for federal tax purposes;</li> <li>▪ Provides a refund of up to a total of \$400 of 2006 Montana property taxes paid by a taxpayer or taxpayers on the residence that they owned;</li> <li>▪ Provides a one-time refundable renter's income tax credit;</li> <li>▪ Prohibits resort communities, resort areas, and resort area districts from requiring an intermediary to collect the resort tax;</li> <li>▪ Increases the business equipment tax exemption to the first \$80,000 of market value of property;</li> <li>▪ Revises and clarifies certain provisions of the resort tax, the lodging facility use tax, and the sales and use tax;</li> <li>▪ Revises the definition of "facility" for the lodging facility use tax and the definition of "accommodations" for the sales and use tax;</li> <li>▪ Clarifies the determination of accommodation charges that are subject to the lodging facility use tax and the sales and use tax;</li> <li>▪ Clarifies the determination of the base rental charges that are subject to the sales and use tax;</li> <li>▪ Provides that the lodging facility use tax and the sales and use tax on accommodation charges and base rental charges apply to certain charges imposed by intermediaries; and</li> <li>▪ Requires that the lodging facility use tax and the sales and use tax be interpreted and administered together.</li> </ul>
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SB 2	Don Ryan	(S) Died in Standing Committee* 04/27/2007	Require availability of paper towels in public restrooms	Monitor	<ul style="list-style-type: none"> <li>▪ This bill was tabled in the Public Health, Welfare and Safety Committee; and</li> <li>▪ Requires the Department of Public Health and Human Services to adopt rules requiring the use of paper towels in public restrooms.</li> </ul>
SB 9	Sam Kitzenberg	(S) Died in Standing Committee* 04/27/2007	Golden years pass -- free access to state parks	Monitor	<ul style="list-style-type: none"> <li>▪ This bill was tabled in the Senate Fish and Game Committee;</li> <li>▪ Provides that a person who has purchased a Montana State Golden Years pass may not be required to pay a day-use fee for access to Montana State Parks.</li> </ul>
SB 190	Dave Lewis	(S) Died in Standing Committee* 04/27/2007	Interim study to determine the feasibility of a bike path	Monitor	<ul style="list-style-type: none"> <li>▪ This bill was tabled in the Senate Highways and Transportation Committee;</li> <li>▪ Creates an interim study to be conducted by the Department of Transportation to determine the feasibility of creating a bicycle path between Helena and Great Falls.</li> </ul>
SB 275	Sam Kitzenberg	(S) Died in Process* 04/27/2007	Local option sales tax	Monitor	<ul style="list-style-type: none"> <li>▪ The second reading for this bill was indefinitely postponed 40-9;</li> <li>▪ Provides that an existing resort tax imposed by a resort community, resort area, or resort area district may remain in effect or may be discontinued.</li> </ul>
SB 301	Lynda Moss	(H) Died in Standing Committee* 04/27/2007	Authorize bond issuance for historic preservation	Monitor	<ul style="list-style-type: none"> <li>▪ Tabled in the House Appropriations Committee:</li> <li>▪ Provides that the preservation of historic property is a permissible purpose for the issuance of general obligation bonds by a county or municipality; and</li> <li>▪ Amends sections 7-7-2201 and 7-7-4203, MCA.</li> </ul>
SB 320	Kim Gillan	(S) Died in Process* 04/27/2007	Revise resort tax -- delete population and designation requirement	Monitor	<ul style="list-style-type: none"> <li>▪ The second reading on the bill was indefinitely postponed on a vote of 40-9;</li> <li>▪ Revises laws relating to the resort tax;</li> <li>▪ Revises the definition of "resort community" by eliminating population restrictions, the requirement for a Department of Commerce designation, and the requirement for substantial tourism-related economic activity.</li> </ul>

SB 418	Dan Weinberg	(H) Died in Standing Committee* 04/27/2007	Revise distribution of lodging facility use taxes	Monitor	<ul style="list-style-type: none"> <li>▪ Tabled in the House Taxation Committee;</li> <li>▪ Revises the allocation of lodging facility use taxes for certain qualifying cities;</li> <li>▪ Amends section 15-65-121, MCA.</li> </ul>
SB 427	Bob Hawks	(S) Died in Standing Committee* 04/27/2007	Restrictions on outdoor lighting	Monitor	<ul style="list-style-type: none"> <li>▪ Tabled in the Senate Local Government Committee;</li> <li>▪ Imposes restrictions on outdoor lighting;</li> <li>▪ Requires outdoor light fixtures to be fully or partially shielded;</li> <li>▪ Prohibits the use of mercury vapor outdoor light fixtures</li> </ul>
SB 463	Sam Kitzenberg	(H) Died in Standing Committee* 04/27/2007	Revise 4-lane construction on Highway 2	Monitor	<ul style="list-style-type: none"> <li>▪ Tabled in the House Transportation Committee;</li> <li>▪ Revises provisions related to four-lane highway construction along U.S. Highway 2;</li> <li>▪ Removes the requirement that the Department of Transportation seek federal funding for the project that does not require a state match;</li> <li>▪ Removes the prohibition on expending resources that would jeopardize future highway projects.</li> </ul>