

Montana's Best 2021

Whereas: Montana has had 16 years of Democrat Governor's vetos that have stifled our business environment, inhibited growth and frustrated Montanan's liberties.

Whereas: With a Republican Executive branch and Republican legislative branch the people of Montana need to **feel the positive difference.**

Many Republicans from across the state have given input into this draft blueprint for the 2021 session. It is an evolving draft that provides options for the House Republican Caucus.

Montana House Top Priorities

Reduce Property Tax Burden

(repeal SB 157, 2 year to 6 year property tax appraisal)
(Bed tax back to cities as property tax rebate)

Reduce Income Tax Burden

(lower top brackets by .10% circa \$20m)

Fiat Budget

(HB2 zero net gain)

Strengthen Law and Order

(Bill Package: War on meth, Drug treatment courts, Judicial oversight committee, Sanctuary cities, Drug teams, Forensic lab)

Protection for Montanan's Rights

(Emergency Powers, Business Liability, Governor Check & Balance, Health Boards, Freedom of Religion)

The following are ideas of legislation for the 2021 session. It is by no means a comprehensive list. It has been derived from many conversations from current and prospective legislative House legislators and from reviewing the last 16 years of vetoed bills that would have been in Montana. There are many more good ideas that are out there by many legislators. This is meant to be a bench of ideas to continue to form as we draw near to giving time.

The ultimate motivation for this report is:

The more organized we are the more effective we will be.

Tax Relief

Whereas: True tax relief can only come by two things: reducing the size/scope of state government and by increasing/adding to our state's economic productivity.

- 1) Property Tax relief: Bed Tax: Return the 3% that goes to the general fund, to place of org for part property tax relief and part local infrastructure.
 - a) Renewable energy tax to reduce the 95 mils state property tax.
- 2) Reduce fees- FWP: in state fishing license for full 12 months from time of purchase.
- 3) Professional fees, i.e. Electrician certification has to be done every 2 years, change to 3 years.
- 4) Moved the property tax reappraisal from every 2 years to 4 years. Un-do SB 157, 2013
- 5) Eliminate Business Equipment tax- Cost?
- 6) Taxpayer Protection Pledge- (Rep. Skees 2019- Died on Floor)

Natural Resources

Whereas: The Montana natural resource pendulum as swung to the extreme of environmental neglect.

Whereas: The ripple effect of one lumber mill re-opening would create a larger, sustainable healthy tax base.

- 1) Value added products from Agriculture (HOW?)
- 2) Remove regulations from DNRC and DEQ (WHICH ONES?)
- 3) Can Good Neighbor Authority (GNA) start producing a timber trust fund for the state? DNRC? Feds say we can't do this, money must stay in program. How do we change the mindset? Fed change or state, or both?

Health Care

Whereas: Cost of healthcare has risen exponentially.

Whereas: The principles of personal responsibility for able Montanans and competitive business practice for providers would increase quality and reduce costs.

- 1) Deductible Security- Based on Indiana's version, provide personal HSA for govt. employees. Stays with employee, gives them personal incentive. (See Indiana HSA)
- 2) Vetoed HB 30, 2011- Cary Smith, Provide for health care sharing ministries and exempt from insurance codes.
- 3) Vetoed HB 405, 2011- Janna Taylor, Medical malpractice reform, Limit Liability
- 4) Vetoed HB 408, 2011, Cary Smith - Provide for timely filing and resolution of claims in medical liability cases. ; Moves it from 3 years to 2.
- 5) Nebraska's bill on surprise billing- Emergency out of network procedures have to be billed same as in network or 175% of medicaid (See reference material)
- 6) Save Rural Healthcare- Lower Medicaid Reimbursement rate to primary care hospitals, increase to Rural healthcare facilities.
- 7) Save Rural Healthcare II- Eliminate Bed Tax for rural healthcare Hospitals/Clinics

Insurance

- 1) Insurance Continuing Education Reciprocity: Accept other states' continuing education.
- 2) Vetoed HB 531, 2011, Steve Fitzpatrick - Revise civil liability for multiple defendants.
- 3) Vetoed HB 283, 2011, Bangerter- Unisex Insurance; Insurance CAN take into consideration gender.
- 4) Vetoed SB 111, 2011, Sonju, - Limit noneconomic damages in motor vehicle accidents.
- 5) Vetoed HB 280, 2013, Cary Smith, - Allow for out of state purchase of insurance; where does MT and also the Feds stand on this?

Pubic Lands

- 1) Tabled in Senate SB 215 ,2015 session, Fielder. State may not sell title in fee simple any land granted or transferred by the United States to Montana.
- 2) Vetoed HB 272, 2011, Flynn- Eliminate ability for FWP to use hunting access fees to acquire fee title lands.

Pensions

- 1) Closed Pension system; Any new debt must have a 5 year payoff schedule.
- 2) Portability; Follows the employee
- 3) Vetoed SB 54, 2011. Balyeat- hybrid tier for TRS new hires.

Renewable Energy

- 1) Tax of \$1 per megawatt of renewable energy- estimated of \$2 million a year.
- 2) Vetoed HB 59, 2011- Revise renewable portfolio standard to include hydropower expansions. Also check out SB 109, 2011
- 3) Repeal the ban on nuclear energy- Newsource out of Idaho has great new technology

Criminal/DOJ

- 1) Fully fund statewide Drug Treatment Courts
- 2) Fund Drug task for team in Highway Patrol
- 3) Eliminate Sanctuary Cities
- 4) Eliminate backlog in Forensic Lab.
- 5) Venue Reform against state agencies. So not all cases are heard in Lewis and Clark county. SB 462, 2005 Vetoed, Sen. Keith Bales.

Elections

- 1) Vetoed HB 152, 2011- Revise proof of residency and identification requirements for voting. : Add in that passports or Real ID are accepted.
- 2) Vetoed HB 180, 2011- Revise close of voter registration; Close same day voting.
- 3) Election Security- Audit report for SOS, August 2020, recommends defining in MCA the definition for election security MCA 13-1-201&202, 13-17-103, 13-17-211. (See report)
- 4) Term Limits to 16 years total in legislature - retroactive
- 5) Closed Primary
- 6) Eliminate COPP (Rep. Skees, 2019)
- 7) End financial campaign contributions limits. Citizens United.

Appropriations Strategy

Whereas: The pressure needs to be in state government to remove nonessential services

Whereas: The public needs to FEEL the relief of financial state tax pressure

Over all goals: State budget (HB2 funds) grows maximum of 0% first biennium- This will be a major undertaking and will need resourceful plans to be able to keep or lower taxes.

- 1) Vetoed HB 317, 2011, Rob Cook- Sunset statutory appropriations over certain times. ; Start removing statutory spending. Rewrite to update.
- 2) Find duplicate spending and/or services, converge FTE or departments where possible, i.e. DNRC and DEQ.
- 3) Vetoed HB 522 (2007) John Sinrud- Revise definition of present law for budgeting purposes.
- 4) Vetoed SB 269, 2013, Ed Walker- Clarifying that present law adjustments are not included in the base budget.

Section A:

Revamp the Department of Commerce, the grant program has been picking winners and losers, currently not a free market.

Section B:

Vetoed HB 334, 2017, Jon Knokey- Medicaid appropriations can only be made for medicaid expenditures.

Section C:

1) State gas tax monies only spent on transportation projects, (How would this affect local infrastructure projects? No bike paths/trails, No sponsoring of things like MSU Bobcats, No advertising zero deaths, etc)

Section D:

1) Increase the look up fees to insurance companies. Currently it is at 15 cents (very low on national average) moving to \$1 could bring in \$30 million year. Use this to ELIMINATE other DMV fees. Has to be at a minimum a zero gain to state. This would provide auto licensing tax relief for public.

Section E:

- 1) School Choice. Many different avenues to go down. Pennsylvania HB1800
- 2) Education Savings Account; ANB money follows child, what is not spent can be banked for college fund.
- 3) Espinoza Case- Rewrite tax credit scholarship, \$150 was too low to get involvement. Arizona model, cap state total at \$30m, and 80% of individual.
- 4) Tax Credit for private tuition.
- 5) Shift funding for enhanced career and tech education.

Section E:

- 1) Add cash infrastructure account and strategy to the IDEA template (2019). Where can we implement "pay as we go".
- 2) Return the cash to counties based on population in the form of grants, not choosing projects to be funded as we did in the debt bill.

Social Issues

- 1) Gun Bills;
 - a) Statewide Conceal Carry.
 - b) Anti Red Flag law
- 2) Pro-Life;
 - a) Born Alive
 - b) Pain Capable
 - c) Ultra Sound at abortion
 - d) Vetoed SB 349, 2016- If insurance company provide plan that covers abortion, then they must offer one that does not cover abortion.
- 3) Vetoed HB 735, 2019, Hopkins, Campus Free Speech
- 4) Vetoed HB 456, 2011, Cary Smith- Define scope of human sexuality ed in K-12 public schools.

Covid Response

- 1) Checks and Balance for Governors emergency powers MCA 10-3-104
- 2) Re-write Title 50 dealing with county health boards. Power should reside with elected officials, not appointed officials.
- 3) Emergency powers for County Health Officers. They should not be able to remove sheriff.
- 4) Limit COVID liability for business.
- 5) Legislation that all Montanan's who work, provide for families, pay taxes, and otherwise contribute to the MT economy must be deemed essential in any declared emergency; a prohibition on quarantining healthy individuals; and the ending of orders prohibiting Montanan's from attending places of worship.

Pro-Business

- 1) Liability protection in trespass cases.
- 2) Wrongful Discharge. (At will)

- 3) Lost wages and benefits. vetoed but which bill??
- 4) Workers standard probation period now is 6 months, change to 12 months.
- 5) SB 266, 2019, Vetood Sen. Blaisdel- Payroll tax reduction if you hire more than 10 employees.

Interim 2021/2022

Whereas: The voters are not equally represented in the interim. The legislature make up should be represented at all times during and after session.

Change the interim committees to weighted- Re-do MCA 5-5-211 as the make up the legislature. (House and Senate make up. I.e. senate has many seats on each committee so the weighted ratio in senate applies to the total of Senate seats on committee, and the House weight would be the same.) HB 414, 2011- Gives interim committees more oversight, see we can use part of the bill.

Random Bills:

TIF cap at 5% of budget, as this would give local control of how they want to implement it but would keep it from getting out of control and used to skirt County and State taxes by local governments.

Sunsetting Non- voted mill levies.

School Levies need to be voted on every so often, (I.e. 5 years)

Limit DOC Contracts with Community Corrections, add that contractors prove effectiveness. pg 44 of June 2020 audit "effectiveness of contracted community corrections programs DOC"

Vetood HB 532, 2019, - Privacy in settlement and public right to know - Provide clarity to govt. employee buyouts

Vetood HB 482, 2019- Require agency reporting on financial assistance to tribes

Remove prevailing wage law on state construction jobs.

Workers Paycheck Transparency- State Public employee union dues cannot be automatically deducted by DOR. (add "Nor" to MCA 39-31-203)