

OFFICE OF THE GOVERNOR
STATE OF MONTANA

STEVE BULLOCK
GOVERNOR



MIKE COONEY
LT. GOVERNOR

May 7, 2019

The Honorable Corey Stapleton
Secretary of State
State Capitol
Helena, MT 59601

Dear Secretary Stapleton:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 481 (HB 481), "AN ACT REVISING THE MONTANA CLEAN INDOOR AIR ACT RELATING TO PRIVATE ESTABLISHMENTS; EXEMPTING CERTAIN BONA FIDE PRIVATE SOCIAL CLUBS FROM THE ACT; AMENDING SECTION 50-40-104, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND APPLICABILITY DATES."

House Bill 481 undermines the Montana Clean Indoor Air Act (Act) by creating a significant loophole for businesses to fashion themselves as membership-based smoking clubs. Even as amended, HB 481 significantly weakens the Act.

It is Montana law that all enclosed public spaces and workplaces be smoke free. Montana adopted this policy into law because there is no safe level of exposure to tobacco smoke. Secondhand smoke is proven to cause heart disease, cancer, and many other diseases.

These protections work for Montana. House Bill 481 would degrade them by allowing establishments to simply recast themselves as membership clubs and get around the law. Nothing would prevent a corner bar from charging a "membership" fee at the door, declaring itself a private club, and then permitting exactly the kind of hazardous activity that the Act would otherwise prohibit. A loophole like this undoes everything the Act is supposed to protect against: creating health hazards for patrons and employees alike.

The people of Montana made their preferences clear in passing the Act. I will not sign a law that undoes it through a loophole.

Secretary Stapleton
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For these reasons, I veto HB 481.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Bullock", with a long horizontal flourish extending to the right.

STEVE BULLOCK
Governor

cc: Legislative Services Division
Greg Hertz, Speaker of the House
Scott Sales, President of the Senate