

Montana House Conservation Hotlist Week 7: February 13, 2023

PLEASE SUPPORT:

HB 413 - Repeal laws on preemption of local government on auxiliary containers, Rep. Ed Stafman (D-Bozeman), hearing scheduled in House Local Government for 2.14, Support. In 2021, the Montana Legislature passed a law prohibiting cities and counties from restricting the use of single-use plastic items such as a bag, cup, bottle, can, device, eating or drinking utensil or tool, (think: the kind of bag you get at the grocery store). This preemptive “ban on bans,” originating from ALEC, stripped localities of the ability to make the choices most appropriate for their communities. Our growing knowledge of plastic’s deleterious effects on the environment and human health prompts us to take action. HB 413 would remove the “ban on bans” and rightfully restore power to our local decision-makers. For questions, please contact Matthew Passini, MEIC, (573) 301-9419/mpassini@meic.org.

HB 431-Generally revise laws related to carbon emissions, Rep. Ed Stafman (D-Bozeman), Hearing scheduled in House Natural Resources for 2.15. This bill would save utility customers money by limiting the requirement for a utility to purchase power from a qualifying facility under the federal law (PURPA) if that facility emits high levels of carbon dioxide for each unit of electricity generated. For more information contact Anne Hedges, MEIC, (406)461-9546/ahedges@MEIC.org.

PLEASE OPPOSE:

HB 55- An act establishing a tax on electric vehicle charging stations, Rep. Denley Loge (R-St. Regis), Hearing scheduled in House Appropriations for 2.13, Oppose. HB 55 would add a \$0.03 tax on electric vehicles (EVs) charging at public stations. The stated goal is to capture revenue from out-of-state EV drivers who aren’t paying the gas tax. However, Montanans traveling in-state also will be required to pay the tax but will supposedly be reimbursed for the fees through some vague process. Unfortunately, the undefined reimbursement process will likely be cumbersome under the best case scenario and will be one more barrier to EV deployment in Montana. This new program will cost the state an extraordinary \$2.3 million to implement because it is so complex. While there are some good elements of the bill, including a provision that would allow charging station operators to price electric vehicle charging based on the cost of electricity, as introduced the bill will unnecessarily discourage the adoption of electric vehicles. For more information contact Ian Lund, MEIC, (406)333-1858/ ilund@meic.org.

HB 261- Revise e-bike laws, Rep. Steve Gunderson (R-Libby), Passed out of Transportation Committee 2.6 and is scheduled for the second reading in the House for 2.13, Oppose. HB 261 attempts to define bikes that use electric motors for propulsion as non-motorized and force the use of these on all state and locally managed trail systems. This "open unless closed" approach opens the floodgates for new motorized use on trails that have been reserved for non motorized uses like traditional bikes, horse, and pedestrian travel. Additionally, this would put the state's definition at odds with the US Forest Service definition, causing jurisdictional challenges (Many trails start on local, private, and state land and travel to USFS land) and a need for increased expenditures for signage and enforcement of this new use. HB 261 would also put federal grant funding for non motorized trails at risk. For more information please contact Amy Seaman, Montana Audubon, 406-210-9449/ aseaman@mtaudubon.org and Noah Marion, Wild Montana at (406) 624-962/ nmarion@wildmontana.org.

The Weekly Hotlist is published as an educational service to lawmakers and citizens by the Conservation Working Group, composed of the organizations listed below.

For questions, please contact Molly Bell with MCV at 406-698-9440 or Jocelyn Leroux with MCV at 406-794-0016

Clark Fork Coalition * Montana Audubon * Montana Conservation Voters * Montana Environmental Information Center
Montana Renewable Energy Association * Northern Plains Resource Council * Wild Montana

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PLEASE OPPOSE:

HB 369- Require Referendum to adopt growth policy, Rep. Marty Malone (R-Pray), Hearing held in House Local Government Committee for 2.9, Oppose. HB 369 would require that the local governing body adopt a resolution of intention to adopt, adopt with revisions, or reject proposed growth policies. Growth policies are an important tool for communities to identify where and how different types of development should occur, and should involve an engaged public and informed process. However, requiring that the entire electorate body vote to also approve or amend the plan would create too much bureaucracy. There is already a process to allow a referendum to appeal a growth policy which is appropriate. For more information contact Ann Schwend, MEIC, (406) 443-5250 x 106/aschwend@meic.org.

HB 454 - Provide for a renewable resource electrical production tax, Rep. Gary Parry (R-Colstrip), Hearing scheduled in House Taxation 2.17, Oppose. HB 454 creates additional layers of tax burden for large scale (25 MW or above) renewable energy generation, and would make these projects uncompetitive in Montana. Currently, all electrical energy producers currently pay a license tax of \$.02 per kilowatt-hour. HB 454, however, singles out large-scale renewable resource generators like wind, solar, new hydro, geothermal, battery storage, and others listed here, and increases their tax burden fivefold. While HB 454 intends to backfill coal severance tax funds and county infrastructure costs, it discourages renewable development and could cause projects slated for Montana to be relocated to other states. For more information, contact Makenna Sellers, Montana Renewable Energy Association, (406) 214-9405/makenna@montanarenewables.org or Ian Lund, MEIC, 406-333-1858/ilund@meic.org.

HB 462- Revise distribution of marijuana revenues, Rep. Marta Bertoglio (R-Clancy), Hearing scheduled in House Appropriations Committee on 2.16, Oppose. This bill would strip over \$30 million in voter-approved revenue from the Habitat Montana program and permanently block the program from tapping those funds again. HB 462 seeks to redistribute how recreational cannabis tax revenue is spent in Montana. This goes against the will of Montana voters who approved recreational cannabis with the understanding that a portion of the revenue would go toward Habitat Montana. There is plenty of money to go around to fund new programs along with Habitat Montana, a popular land protection and access fund that among other things contributed to the purchase of the Big Snowy Mountains Wildlife Management Area. For questions, please contact Jocelyn Leroux, MCV, jocelyn@mtvoters.org/(406)794-0016 and Noah Marion, Wild Montana, nmarion@wildmontana.org/(406) 624-9622.

HB 473 - Provide selenium standard for Lake Koochanusa, Rep. Steve Gunderson (R-Libby), Hearing scheduled in House Natural Resources on 2.15, Oppose. This bill would change the site-specific standard selenium in Lake Koochanusa from .8 micrograms a liter and replace it with the statewide, inapplicable standard of 1.5 micrograms per liter. The site specific standard was determined after years of study and stakeholder involvement to determine the standard that would be protective of beneficial uses in Lake Koochanusa and the Kootenai. This bill would arbitrarily replace that standard for the benefit of a Canadian coal mining corporation. For questions, please contact Derf Johnson, MEIC, djohnson@meic.org/(406) 581-4634.

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