

Montana House Conservation Hotlist Week 9: February 27, 2023

PLEASE SUPPORT:

HB 383- Establish the Montana hunters and anglers community fund, Rep. Tom France (D-Missoula), Bill passed out of House Fish, Wildlife, and Parks on 2.14. Support. This bill would establish a voluntary fund that hunters and anglers could donate to as a grant program for rural Montana communities. It would help with community projects and build relationships between hunters, anglers, and landowners/rural communities. For more information contact Amy Seaman, MT Audubon, 406-210-9449 or aseaman@mtaudubon.org.

HB 521- Revising laws related to conservation licenses on state lands, Rep. Denley Loge (R-St. Regis), Bill passed out of House Natural Resources on 2.20. Support. This bill would establish a state conservation license that would be required for all users of state lands. This license would capture users that are not currently paying for a wildlife conservation license that is attached to a hunting or fishing license and would provide funding for both FWP and DNRC to provide maintenance at Fishing Access Sites and on other heavily used state lands. For more information contact Jocelyn Leroux at jocelyn@mtvoters.org /406-794-0016.

HB 638- Phase out use of styrofoam in food-related businesses, Rep. Marilyn Marler (D-Missoula), Hearing scheduled in House Business and Labor for 2.28. Support. This forward-looking bill would phase out the use of polystyrene foam from restaurants. “Styrofoam” to-go containers are common-place litter; they are toxic, nonrenewable, and never truly biodegrade. They are cheap to produce monetarily, but they have hidden costs that affect everyone’s constitutional right to a clean and healthful environment. For questions, please contact Matthew Passini at mpassini@meic.org/(573) 301-9419.

HB 757- Consideration of wildlife friendly fencing on public land, Rep. Steve Gunderson (R- Libby), Hearing scheduled in House Fish, Wildlife, and Parks for 2.29. Support. This bill would require state agencies to build wildlife friendly fences when replacing old livestock fences. State agencies would need to consult with federal agencies to ensure that new fencing meets wildlife friendly standards. This is a great way to protect wildlife and improve migrations on state lands. For more information contact Jocelyn Leroux at jocelyn@mtvoters.org /406-794-0016.

HB 765- Remove reimbursement for wolf hunting expenses, Rep. Sharon Stewart Peregoy (D- Crow Agency), Hearing scheduled in House Fish, Wildlife, and Parks for 2.28. Support. This bill restores Montana’s prohibition on bounty payments by repealing the authorization for wolf hunters and trappers to receive “expense reimbursements” following the successful harvest of a wolf in Montana. This bill is pushing back on legislation passed in 2021 that allows private funding to go to Montana hunters and trappers. The bill passed in 2021 is based off of the Idaho process created by the group Foundation for Wildlife Management. Repealing this bill would take a step towards restoring regulatory mechanisms that MT Fish, Wildlife, & Parks has to manage predatory species. For more information contact Amy Seaman, MT Audubon, 406-210-9449/aseaman@mtaudubon.org.

HB 776- Provide for the long-term development of a statewide bike trail, Rep. Tom France (D- Missoula), Hearing scheduled in House Transportation for 2.27. Support. This bill is a statement of legislative intent to construct bike paths separate from roads that connect each county seat throughout the state. This would open up more transportation options for travel between counties, and provide for a safe way to travel by bicycle throughout the state. For more information contact Jocelyn Leroux, MCV, jocelyn@mtvoters.org /406-794-0016.

HB 779- Revise FW commission powers to regulate wolf harvesting near national parks, Rep. Marvin Weatherwax (D-Browning), Hearing scheduled in House Fish, Wildlife, and Parks for 2.28. Support. This bill restores the Fish, Wildlife, & Parks Commission authority to restrict wolf harvest in areas directly adjacent to National Parks. This would allow the Commission to remove the need to have quotas in those areas and would allow the Commission more flexibility in wolf harvest management. For more information contact Amy Seaman, MT Audubon, 406-210-9449/aseaman@mtaudubon.org.

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PLEASE OPPOSE:

HB 55- An act establishing a tax on electric vehicle charging stations, Rep. Denley Loge (R-St. Regis), Passed out of 2.24 House Appropriations 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 220- Create select committee on energy planning and acquisition, Rep. Josh Kassmier (R-Fort Benton), Passed out of House Energy, Telecommunications, and Federal Relations Committee on 2.22, Oppose.. HB 220 is an attempt by NorthWestern Energy (NWE) to undermine a 2019 law and the recent rules adopted by the Public Service Commission (PSC) both of which greatly improve the resource planning process and the process for the utility to acquire more energy generation resources (a.k.a. power plants). NWE vehemently opposed the 2019 law and the new PSC rules. This bill would establish a partisan committee to review existing law and the newly adopted PSC rules and recommend changes. This committee would be designed to serve the interests of investor-owned utilities. The utilities spent the last two years trying to prevent the PSC from fully implementing the law, but in December 2022, the PSC unanimously voted to approve rules that establish a transparent and competitive bidding process the utility must go through before constructing new generation resources and passing the costs onto customers. While the investor-owned utility's primary interest is to make money for its shareholders, the current law and rules help ensure that the utility keeps the lights on with affordable resources. For more information, contact Ian Lund, MEIC, 406-333-1858/ilund@meic.org.

HB 462- Revise distribution of marijuana revenues, Rep. Marta Bertoglio (R-Clancy), Hearing held 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 more information please contact Jocelyn Leroux, MCV, 406-794-0016/jocelyn@mtvoters.org and Noah Marion, Wild Montana, nmarion@wildmontana.org/406- 624-9622.

HB 464- Establish Judicial Transparency Act, Rep. Paul Fielder (R-Thompson Falls), Failed 2nd Reading on 2.24, Oppose. This allows for judicial candidates to indicate a party affiliation on declaration for candidacy and to have that appear on the ballot. Judges should be elected based on their qualifications- not based on their political beliefs. Many judges are actually nonpartisan and even though this bill allows them to chose "undisclosed," allowing judges to pick a party would still politicize these races. For more information contact Molly Bell, MCV, 406-698-9440/molly@mtvoters.org.

HB 485 - Revise Tax Rates for Stripper Oil Production, Rep. Joshua Kassmier (R-Fort Benton), Hearing Scheduled in House Tax on 2.28, Oppose. Every legislative session, the oil and gas industry supports a new bill that reduces the taxes paid by oil and gas activities, and this session is no different. HB 485 would eliminate the \$30 per barrel price trigger that allows for oil and gas wells to qualify as stripper wells. The bill would reduce the taxes paid to local governments, which often bear the brunt of impacts associated with the oil and gas industry, by millions of dollars. For more information, contact Derf Johnson at djohnson@meic.org/ (406) 581-4634.

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HB 524 – Revise energy laws relating to solar panels, Rep. Joshua Kassmier (R-Fort Benton), Passed out of House Energy, Telecommunications, and Federal Relations 2.24, Oppose. HB 524 demands that residential solar installers and distributors jump through unnecessary government hoops. The bill subjects residential solar installers and distributors to lawsuits and heavy fines if they incorrectly list the country of origin of their solar panel products. **These products already have country of origin listed.** HB 524 is code clutter and out of step with the Governor's red tape initiative. For more information contact Makenna Sellers, Montana Renewable Energy Association at 406-214-9405/makenna@MontanaRenewables.org or Ian Lund, 406-333-1858/ilund@meic.org.

HB 561, Revise Water Discharge Permitting, Rep. Mary Malone (R-Pray), Passed House Natural Resources Committee, awaiting 2nd reading, Oppose. This bill would require that appeals of water pollution permits go to the Montana Board of Environmental Review (BER) rather than Montana District Court. The BER is composed of volunteers that are appointed by the Governor. Currently, the BER is unable to expeditiously review and decide cases, because it is underfunded and lacks the necessary resources. Some BER cases take multiple years to resolve. During this time, the potential for water pollution and other environmental impacts continues unabated. For more information, contact Derf Johnson at djohnson@meic.org/(406) 581-4634.

HB 576 - Revise Laws Related to Water and Coal Mining, Rep. Rhonda Knudsen (R-Culbertson), Passed out of House Natural Resources on 2.22, Oppose. This bill would dramatically weaken water quality protections for coal mining activities and result in the degradation of water quality for sensitive prairie streams in eastern Montana. It would allow pollution entering intermittent and ephemeral streams to exceed water quality standards without having to conduct a nondegradation review and re-define the material damage assessment – the process to determine whether a coal mine will impermissibly impact water resources off the mine site – to allow for the mine to discharge water that exceeds water quality standards. The bill would also apply retroactively to coal mine permits that are currently under judicial review at the time the bill is proposed to pass, which could potentially impact a number of illegally issued coal mine permits. For more information contact Derf Johnson at 406-581-4634/djohnson@meic.org or Caroline Canarios at 901-651-5930/caroline@northerplains.org.

HB 627 and HB 628- Revise Wolf Trapping Laws and HB 630 Revise Black Bear Hunting Laws, Rep. Paul Fielder (R-Thompson Falls) Hearing held in House Fish, Wildlife and Parks on 2.23, Oppose. **HB 627** states that the Fish & Wildlife Commission must allow the use of snares for trapping wolves in occupied grizzly bear habitat outside “of existing grizzly bear recovery zones that have been delineated by the United States fish and wildlife service and existing lynx protection zones that have been delineated by the Montana department of fish, wildlife, and parks”. Current law restricts the mandatory legal use of snares to private land. **HB 628** codifies the wolf trapping season into law and requires it to be from the Monday after Thanksgiving until March 15. The bill repeals the Fish & Game Commission's ability to adjust dates based on management units or regional recommendations. **HB 630** does the same thing as HB 627 but for the hunting of black bears with hounds; it requires the Fish & Wildlife Commission to allow black bear hunting with hounds in occupied grizzly bear habitat outside of existing grizzly bear recovery zones that have been delineated by the United States fish and wildlife service. For more information contact Amy Seaman, MT Audubon, 406-210-9449/aseaman@mtaudubon.org.

HB 643 – Revising net metering laws, Rep. Joshua Kassmier (R-Fort Benton), Hearing scheduled for 2.27 in House Energy, Technology and Federal Relations. Oppose. HB 643 would require utilities, not the PSC to study the impact of rooftop solar systems' on the grid. This bill would then require the PSC to create a special electricity rate for this group. When making these rates, this bill would prohibit the PSC from considering the system-wide benefits of rooftop solar. This is a shift from the PSC's 5-0 decision in 2019 to maintain the current rates for Montana families and businesses who offset their electricity purchases when they send clean energy back to the grid. In exchange for diminishing the value of rooftop solar, the net metering generation cap would be increased from 50 kW to 100 kW. For more information, contact Makenna Sellers, Montana Renewable Energy Association at 406-214-9405/makenna@MontanaRenewables.org or Ian Lund, 406-333-1858/ilund@meic.org.

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HB 656- Revise changes to coal mining operations, Rep. Gary Parry (R-Colstrip), Passed out of House Natural Resources on 2.24, Oppose. This bill would allow for most coal mine expansions that are under 320 acres to be classified as a “minor amendment” during permitting. Minor amendments receive very limited scrutiny and analysis by the Montana Department of Environmental Quality and do not require public notice or comment. Minor amendments are normally reserved for administrative changes or minor changes to the mine plan that do not increase the mine area. Normally, an actual expansion of the mine area would have to go through a “major amendment” process, which includes an analysis of the hydrologic and other environmental impacts, and a requirement that the public be notified and given the opportunity to comment. Further, there is nothing preventing companies from incrementally expanding operations in 320 acre phases in order to avoid public scrutiny and environmental analysis. This bill will ultimately result in decreased public engagement and more pollution from coal mines in Montana. For more information, contact Derf Johnson at djohnson@meic.org/(406) 581-4634 or Caroline Canarios at caroline@northerplains.org/(901) 651-5930.

HB 669- Revise laws related to allocation of marijuana tax revenues, Rep. Bill Mercer (R-Billings), Hearing held in House Appropriations Committee on 2.23, Oppose. HB 669 would zero-out all marijuana revenue that was dedicated to conservation and outdoor recreation programs by Montana voters and by the previous Legislature. Over the next two years alone, HB 669 would rob over \$50 million from state parks, trails and recreation, the Habitat Montana Program, and nongame wildlife management. It would also permanently block these programs from ever tapping those funds again. For more information please contact Jocelyn Leroux, MCV, 406- 794-0016/jocelyn@mtvoters.org and Noah Marion, Wild Montana, nmarion@wildmontana.org/406- 624-9622.

HB 806- Revise requirements for absentee ballots, Rep. Lola Sheldon-Galloway (R-Great Falls), Hearing scheduled in House State Administration for 2.28, Oppose. HB 806 would limit absentee voting and create a more limited category of “qualified absentee voters.” Absentee voting in its current form is safe and convenient. This bill would unnecessarily limit the choice and freedom of all Montanans. For more information, please contact Molly Bell, MCV, 406-698-9440/molly@mtvoters.org.

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