

Montana House Conservation Hotlist Week 12: March 20, 2023

PLEASE SUPPORT:

SB 382 - Montana Land Use Planning Act, Sen. Forrest Mandeville (R-Columbus), Scheduled for a hearing in House Local Government 3.23, Support. This comprehensive land use bill will create the upfront planning and robust public process to identify where and how communities want to grow, and then allow municipalities to apply zoning codes to support appropriate densities and growth. It will fundamentally change the way we think about long term and comprehensive planning and moves us from reactive to proactive positions in our rapidly growing communities. For more information contact Ann Schwend, MEIC, 406-443-5250 x 106/Aschwend@meic.org.

HB 383- Establish the Montana hunters and anglers community fund, Rep. Tom France (D-Missoula), Scheduled for hearing in House Appropriations on 3.20, 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/aseaman@mtaudubon.org.

HB 521- Revising laws related to conservation licenses on state lands, Rep. Denley Loge (R-St. Regis), Scheduled for hearing in House Appropriations on 3.20, 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, MCV, at jocelyn@mtvoters.org /406-794-0016.

PLEASE OPPOSE:

SJ 14- Resolution opposing bison restoration at the Charles M. Russell National Wildlife Refuge, Sen. Mike Lang (R-Malta), Hearing Scheduled in House Fish, Wildlife, and Parks for 3.23, Oppose. This resolution opposes efforts by the U.S. Fish and Wildlife Service to consider a transplant of wild buffalo to the CMR National Wildlife Refuge. This runs counter to the Trump administration's Buffalo Conservation Initiative from four years ago, and recent efforts by Sec. Deb Haaland to step up restoration of our national mammal on Tribal and other appropriate federal lands. For more information contact Amy Seaman, MT Audubon, 406-210-9449/aseaman@mtaudubon.org.

SB 109- Revise laws related to redistricting the PSC, Sen. Keith Reiger (R- Kalispell), Hearing Scheduled in Energy, Technology, and Federal Relations Committee for 3.20, Oppose. The map divides 14 counties and splits up 6 major cities within the state, which is a departure from the previous practice of keeping communities together in Public Service Commission districts. Due to the division of communities, it will be challenging for PSC Commissioners to represent the energy needs of their districts, which is the primary purpose of having PSC districts. Advocates of this new map have noted that grouping legislative districts to construct PSC districts ensures they will be population equal. There are proposed amendments to the bill that would utilize legislative districts, ensure population equality between districts, and avoid splitting major cities. These alternative options should be thoroughly examined by the legislature to ensure that the final map is fair, transparent, and representative of the communities they serve. For more information contact Molly Bell, MCV, at 406-698-9440/molly@mtvoters.org.

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PLEASE OPPOSE:

SB 143, Allow for a referendum to terminate citizen initiated zoning districts, Sen. John Esp (R-Big Timber), Hearing Scheduled in House Local Government on 3.21, Oppose. SB 143 would undermine citizen-initiated zoning districts (CIZ). CIZ's can only be adopted if a supermajority - 60% of the landowners in the area - petition the county for the CIZ and the County Commission agrees. The bill would allow just 20% of landowners in a CIZ to petition the county which would require the County to hold an election to eliminate the district. For more information, contact Anne Hedges, MEIC 406-461-9546/ahedges@MEIC.org.

SB 152 - Revise Minor Subdivision law, Sen. Forest Mandeville (R-Columbus), Scheduled for hearing in House Local Government on 3.23, Oppose. SB 152 would eliminate from review as "a first minor subdivision from a tract of record" those divisions of land that were created under the exemption provisions of the subdivision law since July 1, 1973, when the Montana Subdivision and Platting Act (MSPA) went into effect. The review of the first minor subdivision has been weakened over the years, however, at least it is subject to some review requirements including an Environmental Assessment. The exemption in SB 152 would eliminate the public review safeguard. This safeguard ensures that further subdivisions of land are in the public interest and are subject to review by local governing bodies who can at least impose reasonable conditions on such divisions pursuant to the requirements of the subdivision and platting act. For more information, contact Ann Schwend, MEIC, 406-596-1013/aschwend@meic.org.

SB 158- Revise family transfer law, Sen. Jason Ellsworth (R-Hamilton), Scheduled for hearing in House Local Government on 3.21, Oppose. SB 158 would allow a lot owner within an existing subdivision to divide a portion of their lot and transfer the newly created lot(s) to members of their immediate family without triggering the typical subdivision and environmental review process. This leaves neighbors of this newly divided land within an existing subdivision unable to comment. The bill is unclear as it appears to allow the first 5 family members that receive a lot through this exemption to potentially further subdivide their lot, all without public review, and with cursory local government review. The unmitigated cumulative impacts on traffic, water resources, access, local fire and safety could be harmful for an area. For more information, please contact Ann Schwend, MEIC, 406-456-1013/aschwend@meic.org.

SB 176-Revise interim and statutory committee membership, Sen. Keith Regier (R-Kalispell), Bill concurred in House Legislative Administration Committee on 3.17, Oppose. This bill would politicize interim committees. Instead of both parties working together in the interim to analyze topics and find bipartisan solutions, this bill would generally require interim committees to be composed of 3 members from the majority party and one member from the minority party, regardless of the composition of the legislature. The EQC appointments must be 4 members of the leadership party to 2 members from the minority party, regardless of the composition of the legislature. The Consumer Committee must be 2 from the majority party of each house and one from the minority. For more information, contact Anne Hedges, MEIC 406-461-9546/ahedges@MEIC.org.

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SB 208- Prohibit local governments from banning or limiting energy choices, Sen. Jason Small (R-Busby), Scheduled for Hearing in House Energy, Technology, and Federal Relations on 3.20, Oppose. SB 208 prevents the Department of Labor and Industry, which writes the state building code, from including any language that prohibits or limits the use of any energy resources. Additionally, this bill denies local governments any power to “prohibit or impede the connection” of any fossil fuel infrastructure in their jurisdictions. This precludes cities and counties from taking meaningful action on greenhouse gas emissions through stretch codes or regulations. Methane gas is harmful to health, the environment, and the climate. Recent studies show that indoor emissions from gas appliances can contribute to childhood asthma. Local governments should be allowed to mitigate those impacts to address the concerns of their constituents. Energy decisions in a community should be made by the people closest to the issues, not legislators. For more information contact Anne Hedges, MEIC, (406) 461-9546/ahedges@meic.org or Ian Lund, MEIC (406) 333-1858/ilund@meic.org.

SB 228- Prohibit local governments from banning petroleum fuel, Sen. Jason Small (R-Busby), Hearing scheduled in House Transportation for 3.20, Oppose. SB 228 would prohibit local governments from protecting public health, safety or welfare from any type of petroleum product (e.g. oil or gas). It would force local governments to allow compressor stations, gas stations, pipelines, gas power plants, petroleum refineries, and more, regardless of size or impact, near residential properties, daycares, and schools. Local governments would not even be allowed to mitigate impacts from noise, lighting, or truck traffic. For more information contact Anne Hedges, MEIC (406) 461-9546/ahedges@MEIC.org and Caroline Canarios, NPRC, (901) 651-5930/caroline@northernplains.org.

SB 240- Exempt certain subdivisions from environmental review, Sen. Jason Small (R-Busby), Scheduled for hearing in House Natural Resources on 3.24, Oppose. This bill would exempt the Montana Department of Environmental Quality (DEQ) from having to conduct an environmental review for proposed subdivisions that meet certain criteria, including that they are 14 or fewer lots and located at least 2 miles from "high quality waters." This bill would result in poor environmental decision-making by ignoring potential environmental impacts associated with development, as well as opportunities to mitigate that development. This bill would also likely encourage developers to phase developments in 14-lot increments in order to evade environmental review. For more information contact Derf Johnson, MEIC, 406- 443-5250 x 103/djohnson@meic.org or Amy Seaman, MT Audubon at aseaman@mtaudubon.org.

HB 220- Create select committee on energy planning and acquisition, Rep. Josh Kassmier (R-Fort Benton), Hearing scheduled in House Appropriations for 3.21, 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.

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PLEASE OPPOSE:

SB 295 - Revising Laws to Accommodate Grizzly Bear Delisting, Sen. Bruce Gillespie (R - 9) Hearing scheduled in House Fish, Wildlife, and Parks on 3.21, Oppose. This bill passed the Senate on 2.24 without amendments and brings forth a grizzly bear policy for Montana that would lay out management regulations should grizzly bears be delisted from the Endangered Species Act. The bill unfortunately stresses lethal management of grizzly bears over other methods of management and only slightly refines when a grizzly bear can be killed if it is threatening livestock or people; from what was passed in 2021 through Senate Bill 98. The bill still allows bears to be killed on public land if the Department of Fish, Wildlife, and Parks, (FWP) finds the animal is threatening livestock or people and it makes it mandatory for individuals to complain directly to the director of FWP which seems unreasonable and excludes biologists on the ground. The definition of threatening in regards to interacting with grizzly bears is not defined and this bill really changes the tone about how the state will manage bears on public lands. For more information, contact Amy Seaman, MT Audubon (406)210-9449/aseaman@mtaudubon.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 485 - Revise Tax Rates for Stripper Oil Production, Rep. Joshua Kassmier (R-Fort Benton), Hearing Scheduled in House Taxation on 3.21, 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.

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.

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